Memoirs

OF THE

Right Honourable

ARTHUR

Earl of *ANGLESEY*,

LATE

Lord Privy Seal.

Intermixt,

With Moral, Political and Hiſtorical Obſervations, by way of Diſcourſe in a Letter. To which is prefixt a Letter Written by his Lordſhip during his Retirement from Court in the Year 1683.

Angleſey, earl of

Publiſhed by Sir *Peter Pett* Knight, Advocate General for the Kingdom of *Ireland*.

LONDON, Printed for John Dunton, at the Raven in the Poultry, 1693.

This may be Printed.

June 30th. 1693.

Edward Cooke.

To the Right Honourable the Lord
ALTHAM.

My Lord,

HAving taken occaſion to preſent the following Papers of your Noble and Learned Father to the World, I held my ſelf obliged to make a particular Dedication of 'em to your ſelf, in whom ſo much of the Acuteneſs of his Wit, and of his incomparable Modeſty, and of his Loyalty to his Prince, and Conformity to the Church, Fidelity in Friendſhip, and Candour of Diſpoſition and Manners, is Conſpicuous to the World: And by which latter Qualification your

Converſation is perfectly charming to all who have the Honour of it.

His Lordſhips great value of theſe generous qualities in you, was often ſignified to me by him in my more than twenty five years frequent Converſation with him in the latter part of his Life; and wherein you gave him ſo much juſt Cauſe to preſage, that your Lordſhip would be both a Propp and an Ornament to his Family.

And I doubt not but thoſe Great and Manly efforts of his Reaſon, Religion and Learning that I here lay before your thoughts, will be further Inducements to you to make a Natural uſe of his great Example, and to ſpend as much of your Life,

Life, as you can ſpare from the Service of your Country, in the moſt vigorous purſuits after Knowledge, and in the inveſtigation of Truth; and for your doing which, you have in the Courſe of Nature ſo fair a proſpect of a long race of Life before you.

His Lordſhip uſed often to quote occaſionally that ſaying of my Lord Bacon's, *Actio eſt Converſatio cum Stultis, lectio autem cum Sapientibus*: The thought whereof induced him to ſpend ſo much of his time in his Library; and where he uſually loc'kd himſelf up ſo cloſe, that in ſtead of fortifying his Intereſt at Court, as great Men do, by frequent giving of Viſits to one another he very

much avoided the receiving them.

And therefore he having ſo vaſt a Collection of Choice Books both in the Ancient and Modern Languages, and eſpecially of Divinity, Common-Law, Civil Law, Canon-Law, and Hiſtory; and laying the Scene of his Life ſo much among them, and living to a good Old Age, the World might well expect that what he ſhould leave behind him of his own Compoſing, ſhould be worthy of himſelf, and it: And ſuch your Lordſhip will find this Volume to be.

The firſt Work of your Fathers, that I ſhall Entertain your Lordſhip and the World with, is that of his Letter to my

my ſelf, of *July* the 18*th*. 1683. Writ on the occaſion of my minding him of his yearly Cuſtom of ſending Veniſon to Sir *George Ent*; and which Letter is variouſly inſtructful to the Age. I placed before his large *Diſcourſe* by way of *Letter* to me in Anſwer of Mine to him of that Nature, becauſe the Order of time required it.

He had my entire *Diſcourſe* by him in his Study, Printed and bound up long before he dyed. And his Lordſhip telling me, that he intended his by way of return to it, and to be Printed in *Folio* to be bound up with mine; mine thereby happen'd not to be Publiſhed in his Life time.

It was afterward Publiſhed with the Title of *the Happy Fu-*

ture State of England, and ſince by a new Title, viz, *A Diſcourſe of the growth of* England, *in populouſneſs and trade ſince the Reformation*, &c. *Printed for* William Rogers, *at the Sun over againſt St.* Dunſtans Church *in* Fleet-Street.

And as all great Writers (and eſpecially of ſuch Subjects that refer to various kinds of Learning) have Cuſtomarily employed ſeveral perſons in gathering Quotations for them, and abſtracting them (and as for this purpoſe, I have ſome where Cited the *Lord Secretary Falkland*, for ſaying of *Cardinal Peron*, that *Baronius* and *Bellarmine* were but fit to gather Quotations for him) ſo your Father was pleaſed to Crave the Aid of

of Quotations from his Learned Friend *Biſhop Barlow*, in two or three Points relating to Theology and the Canon Law, and which were ſent to him in Letters. I ſcarce know any one Man who is ſo abſolute a Maſter of all the various kinds of Learning refer'd to in your Fathers large following *Diſcourſe*, as to have commanded the proper uſe thereof, without applying to the Labour of ſome other Friend in this kind. Nor have any of the moſt Learned of the Jeſuits preſumed to Publiſh the moſt Famous and Elaborate of their Volumes, either Hiſtorical or Mathematical, without owing a beholdingneſs to others for Quotations.

And as any one here, who enter-

entertains a great Prince in a Splendid manner, holds himſelf obliged not to confine himſelf to his own Ground for all the Materials of his Treat, ſo he who invites to his Entertainment no meaner a *Gueſt* than the *World* by his Writings, ought not to Diſdain the uſe of the Heads or Hands of others in finding out the moſt Curious Proviſion for it, and eſpecially in ſo Critical an Age as this.

But even herein was your Fathers great Modeſty ſo Signal, as to ſhew that he deſigned not the Appropriating wholy to himſelf the Honour of all the *Biſhops* Learned and Judicious Quotations (and which yet by the Cuſtom of other great Writers, he might have juſtifiably done)

done) that he is pleaſed to notifie to the World in *p.* 21. his having apply'd to the *Biſhop* on that account, and what Communications he had from him by Letters, and his deſire of their Publication.

Another great inſtance of his Exuberant Modeſty, I ſhall here Entertain your Lordſhip with, is the great Complement he was pleaſed to put on me, when not very long before his laſt Sickneſs, he delivered to me his large *Diſcourſe* as fairly Writ out by his *Amanuenſes*, and variouſly altered by his own Hand (and the which after the Printers have made uſe of, I intend to offer to your Lordſhips Cabinet) and deſired me, that I would take the ſame

Free-

Freedom in putting out, or Deleting any thing I thought Superfluous or proper to be expunged, as he told me, Mr. *Boyle* had deſired me to do when I Publiſhed his Excellent Book of *The Style of the Scriptures*. Mr. *Boyle* in a *Letter* to me Printed before that Book, Addreſt it to me with the Initial *Letters* of Mr. *P.P. A.G. F.I.* (by which he meant to refer to me as *Advocate General for* Ireland, and giving a Friendly Reaſon for not more openly naming me.) And he is there pleaſed to ſay, *I have been obliged, that I might obey you, not only to Diſmember, but to Mangle the Treatiſe you peruſed, cutting out here a whole ſide, and there half, and in another place perhaps a quarter of one.*

And

And if it had ſo pleaſed God, that your Father had lived any conſiderable time longer, I would havehumbly offered it to his Conſideration, to have ſome Paſſages there omitted, and particularly that wherein he giveth his thoughts of ſomewhat in *p.* 70. of my *Diſcourſe*, and likewiſe thoſe wherein his *L*ordſhip is pleaſed to ſignifie his over-valuing of my poorSixth-rate Talents, and my performancein my Work. But ſince he lived not long enough for my having an opportunity to ſatisfie him with my Reaſons for the leaving out any paſſages, as I did the incomparableMr. *Boyle*, I preſum'd not to delete any thing therein, worth the ſpeaking of. But as I took great Care to watch the

Preſs

Preſs in my Publication of that Noble Work of Mr. *Boyles*, to prevent the Printers *Errata*, ſo I have in this of your Fathers.

The Author of the *Athenæ Oxonienſes* having among the *Lives* of the *Oxford Writers*, Writ that of your Father, is there pleaſed to mention, that in the beginning of the *year* 1686. *He began to be admitted into the Favour of King* James *the* II. But he was admitted into his Majeſties Favour before; and Mr. *Ryley* after your Fathers Death, ſhew'd me this in his Lordſhips *Diary*, viz. *On* March 8.85. *Spent moſt at home in Buſineſs; and Duty* (i. e. Prayer) *In the Evening was private with the Lord* Sunderland, *my good Friend; and then was with the King a full hour at*

at Mr. Chiffinches; *who was very kind, free, and open in Discourse: Said, he would not be Priest-ridden; Read a Letter of the Late King, said I should be welcome to him.* I refer to this, to shew likewise on what Terms he stood in the Royal Favour (and which was so great to him, that his Friends supposed, that had he lived a Month longer, he would have been Lord Chancellour) and that his zeal for his Religion, suffered no Diminution thereby, and which sufficiently appeared by the Picture of his mind drawn by himself in the following *Discourse*, and to which he was then applying his finishing Touches.

And hence the Reader may guess, that his private Belief of his Prince not designing the unset-

settlement of our Religion, Encouraged him in his thoughts of Loyalty, and in his Inculcating the Moral Offices of it so much throughout the following *Discourse.*

And indeed his Advices then about it, were but Eccho's to the Pulpits of the Divines of the Church of *England* in general, that rang with it till the time of the setting up the Ecclesiastical High Commission, and by virtue of which, they had apprehensions of their being removeable out of their Church-Freeholds in two or three days time: And whereupon they had (as I may say, in the School-Divinity Terms) the *motus primo primi,* to think that the *Affirmative* precepts of

Preach-

Preaching up Loyalty in their Sermons as before, did not bind *Semper & ad Semper*. But your Father was in his Grave, before the Birth of that Commiſſion, and it was ſeveral Months after in that year 1686. before the Commiſſioners opened their Commiſſion, and which they did on *Tueſday* the 3*d*. of *Auguſt* that year.

However it may be ſaid that no Revolutions time can cauſe, can make perſuaſives to Loyalty wholy uſeleſs, or it ceaſe to be a Vertue, or to want the Support of any Government, and which muſt be ſupported by it.

But your Fathers growth in his Habitual *Loyalty*, when he was ſo near his End, needs no *Apology*. And according to the

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obſervation I have met with from ſome of our Practical Divines that *God watcheth when his Child is at the beſt, and his Graces ripeſt, and then takes him,* thus was it with your Noble Father.

And as no thought can be more obvious to a prudent States-Man, who was for a time Employed by his *P*rince in a *P*rovincial Kingdom under his Vice-Roy, and was preparing to return to his King, and to be under his Eye, than that 'tis his great concern to part fairly with the *Vice-Roy*, and not to be conſcious of having Diſhonoured, or of having render'd him uneaſie in the diſcharge of his Office; ſo neither can it be unthought of by any Pious Miniſter of Kings (who are Gods Vice-Gerents) that it highly imports him after his ſplen-

did

did Sojourning here, to have the Testimonials of a good Conscience, ready to carry to Heaven with him, that he here Honoured the great King of Heaven and Earth, in the persons of such Vicegerents, and did not by stirring up any popular ferments, trouble their Administration and frustrate their Counsels.

Had your Father lived to have come to the Helm of State, as a *primier Ministre*, I believe his influence would have prevented many inconveniences that happened by the Bigotry, Pedantry, and blind zeal of some particular papists. For tho I have own'd to the World in print, the excellent Tempers and Justice and prudence of some Great Roman-Catholicks then, yet I have often

been diverted by the impotent paſſion of ſome certain Popiſh Bigots, who, becauſe I in my Book which I deſigned as perſwaſive againſt the Excluſion, & the growth of the popular fears of Papiſts and Popery, and wrote in the turbid interval of the Kingdom, the interval of panic Fears, and when the Ayre of Mens fancies was generally infected, and the Kingdom was in a Chaos-like condition, thought it neceſſary to Demonſtrate, that I was a *Non-Papiſt*, and not to dilate in invectives againſt the Belief of any popiſh Plot whatſoever, and againſt all the Witneſſes in particular, were pleaſed in common talk, to ſhoot the bolts of their Cenſures againſt me and my Works. And the truth is, for any writer for the aforeſaid purpoſes,

poses, to have then appeared in such a *Dress*, as they would have had him, would have shew'd as strangely, as when it once happened, that one being to Act *Theseus* in *Hercules furens* coming out of Hell, he could not for a long time be perswaded to wear some old sooty Clothes, but would needs come out of Hell in a white Sattin Doublet.

Your Fathers Learned Book may in various places, teach such Censorious bigots common sense. And his Lordship justly coming under the Character of εἰς τρισμύριοι, I may account his single acknowledgment of my performance, to out-weigh Myriads of such Ignorant Censurers, and be very well content with my having escaped the Scandal of their praise.

But here I muſt needs ſay, that as I have ſufficiently ſhewn in print, the averſion of my Humour from courting the popular praiſe of any party (as having judged that the medicament of Notions I applyed to each, would be neceſſarily helped in the working by the ungratefulneſs of the Taſte) ſo by my having ſo long delay'd the publication of this excellent Volume of your Father, I have ſhewn ſome uneaſineſs or backwardneſs in receiving the various Honour he was pleaſed in his ſhort Letter prefixed, and following large one, to do to that Work of mine, which in obedience to his Commands, and for the doing him Juſtice I wrote.

And I believe, had not a Learned and Prudent Friend of mine

of

of the *Church* of *England* told me, that my being thus acceſſory to the publiſhing of your Fathers Laudatory Acknowledgments of my performance, was as much conſiſtent with the Laws of Modeſty as is many grave and wiſe Authors prefixing Commendatory Verſes or Proſe-teſtimonials from others before their works (and for which purpoſe, he told me of Mr. *Hobbes* having before a philoſophical and political Work of his, printed ſome excellent verſes of Dr. *Bathurſt*; and of Dr. *Templer* having printed ſome of another before his admirable Confutation of *Leviathan*) and withal repreſented it to me, that I was in Conſcience bound to the ſupporting the Honour of our Church, by the publiſhing the New Matter contained in your Fathers

Book againſt popery, and likewiſe to the ſupporting the Juſtice of our Compaſſion, for the ſufferings of our Brethren in *France* by the Bigottry of the *French* Clergy, upon the account of their not owning the Faith of the Council of *Trent*, (your Fathers Book beyond all other Writings publiſhed, ſo clearly ſhewing it out of the moſt Authentick Hiſtories, that that Council was never publiſhed and received in *France*) I ſhould have been inclined to have Tranſmitted this incomparable *Diſcourſe* of his Lordſhip, to have lived only in the *Archives* of the *Oxford-Library*. And ſo chiefly by the weight of this latter Conſideration, I have held my ſelf obliged to make it publick: And I doubt not but all proteſtants, and eſpecially our *Divines*

of

of the Church of *England*, will bid it welcome to the World.

But *My Lord*, I am to crave your Lordſhips Pardon, for thus long detaining your thoughts from the Great and Noble ones of your Fathers in the following *Diſcourſe*; and will no longer offend therein, than by Subſcribing my ſelf,

My Lord,

Your Lordſhips moſt Faithful and moſt Humble Servant,

July 17. 1693.

P. Pett.

From

From my *Tuſculanum, Totteridge, July* 18. 1683.

Sir Peter Pett.

I *Obeyed your Commands in giving the great Sr.* George Ent *a taſte of my* villa *fare. I hope you ſeaſoned it with your wonted good diſcourſe; I envy you nothing of your Happineſs, but that I had not a part in it; for I delight in nothing more than ſuch Company from whom I ever part the better and the wiſer. I acknowledge the favour in the two* Sheets *you ſent me, which were ſo far from ſatisfying me, that they ſerved but to whet my appetite to deſire, that you would after ſo long an expectation given,* ultimam manum ponere *to that work, wherein you do* pingere æternitati; *and from which it is pitty the pub-*

publick should be with-held longer.

I remember after Cicero's incomparable parts and learning had advanced him in Rome to the highest Honours & Offices of that famous Common wealth, that by Cæsars Usurpations upon the publick there was no longer place either in the Senate or Hall of Justice, for the Romanum Eloquium he had made so much his Study, and wherein he had before Cæsar himself shewed how much he excelled, he betook himself wholy to the common consolation of wise Men in distress, the use and practice of Philosophy, and therein with an industry and stile answerable to the divineſs of the purpo e, undertook for the benefit of all Ages, the most Religious and Sacred part of Philosophy, the Nature of the God-

Head,

From my *Tuſculanum*, *Totteridge*, *July* 18. 1683.

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publick ſhould be with-held longer.

I remember after Cicero's incomparable parts and learning had advanced him in Rome to the higheſt Honours & Offices of that famous Common wealth, that by Cæſars Uſurpations upon the publick, there was no longer place either in the Senate or Hall of Juſtice, for the Romanum Eloquium he had made ſo much his Study, and wherein he had before Cæſar himſelf ſhewed how much he excelled, he betook himſelf wholy to the common conſolation of wiſe Men in diſtreſs, the uſe and practice of Philoſophy, and therein with an induſtry and ſtile anſwerable to the divineſs of the purpoſe, undertook for the benefit of all Ages, the moſt Religious and Sacred part of Philoſophy, the Nature of the God-

Head,

Head, *wherein amidſt a cloud of various and oppoſite errours, and the thick darkneſs of a benighted ignorance, he acquitted himſelf to admiration, inſomuch, that I may account* him *as ſome great Authors have done, the* Divine *Philoſopher as well as* Seneca.

And if I had reaſon to doubt what his opinion might be concerning a Deity, *or whether his works evince not the* true *Deity and Religion, yet I am ſure they tend ſtrongly to the overthrowing the* Falſe: *Which the very worſhippers of thoſe* ignoti Dei *were ſo ſenſible of, that they conſpired the Deſtruction of this work of his, inſomuch that in the Reign of* Dioclesian *that great* Bigott (*as I may call him*) *of the* Heathenish *Idolatry, and the Enemy of the* Chriſtian

ſtian Religion, *theſe three Books* De naturâ Deorum, *and his other two of* Divination, *were publickly* burnt *in company with the writings of the Chriſtians*, Anno Chriſti 302. *as moſt famous* Chronologers *and others have recorded. In particular* Arnobius *ſharply* (*tho then no* Chriſtian) *inveighs againſt the burners of theſe Books of* Cicero, *in theſe words, viz.* But before all others, *Tully* the moſt Eloquent of the Romans, not fearing the imputation of Impiety, with great Ingenuity, Freedom and Exactneſs ſhews what his thoughts were, and yet (*ſaith he*) I hear of ſome, that are much tranſported againſt theſe Books of his, and give out, that the Senate ought to Decree the aboliſhing of them, as bringing countenance to the Chriſtian Religion, and impairing the

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Authority of Antiquity: rather (*said he*) if you believe you have ought certain to deliver, as to your Deities, convince *Cicero* of Error, confute and explode his evil Doctrine. For to destroy Writings, or go about to hinder the common Reading of them, is not to defend the Gods; but to be afraid of the Testimony of Truth. *Thus far* Arnobius. *And I could not leave* Cicero *and his Books in a more illustrious place, than amidst those bright flames, wherein the Divine writings were consumed. For what greater Honour than for him to be joynt'd with* Christ, *in the same cause and punishment? I should not have so far advanced the pattern of* Cicero *in a* Christian *Kingdom, but that we are so far degenerated from the primitive ones, that* Tullyes *Morality if not Divinity, goes beyond us. When the Age*

is Receptive of better examples (though you need them not) I should willingly insinuate them to others.

Now if by the beginnings of Persecution in France and other parts, and the dangerous Divisions and Circumstances at home, we seem to be hurrying to the like sad times, you may guess what makes me embrace so much a Country life as Cicero did, and that from the Noise and Contrivances of a croud in the City, I am retired to the sweet quiet of a Tusculanum, and to converse with the dead qui non mordent: and if I declare I should be glad (among the Tombs) of such company as you and other my good friends that perhaps in kindness to me think me wanting there, you will believe me no ill chooser for my self, and I hope squander away some time upon a friend. You see I give a beginning to our entercourse, wherein you were not wont

to

to flinch; and when you write to Bugden, *pray let the Learned and good Bishop know, I am as much his as ever, tho the whole Body of* Papists *seem now to be confuting his before Judged irrefragable Book, and bring in the protestants by Head and Shoulders, to what he evinced were their Maxims and practice; so that now* Mutato nomine de nobis fabula narratur. *But the* God *of truth, in the* thing *wherein they deal* proudly *and falsly will shew himself above them; to him I commit you, and in him I am*

Your Affectionate Friend

and Servant.

ANGLESEY.

MEMOIRS

Memoirs

Of the Late

Earl of *Anglesey*, &c.

SIR,

I Have not that time I wish, to thank you particularly enough for your *Discourse in a Letter* to me, and writ to me when I was *Lord Privy Seal*, on the Occasion mentioned in your *Preface*.

I am so much a lover of my *Country*, that I would be content to have all the *Dirt* and *Shamm* again thrown on me by any such *Infamous Witness* as He was,

if it might Occaſion the Enriching it with the *Treaſure* of ſuch an other *Diſcourſe*. I did not account it a *Solemn* that not only the *Earl* of *Peterburgh*; but his *Majeſty* were participants with me in the Calumnious *Affidavit* Publiſhed againſt me; but was ſorry and aſhamed for the *Effrontery* of the *Infamous* Swearer, extending it ſelf ſo far; and likewiſe glad, that after I was ſufficiently *vindicated* by your Pen, you took the pains ſo Learnedly to *State* the *Notion* of *Infamous Witneſſes*, for Illuminating the Age therein.

I know that in the *Hot* times of the *Martyrocracy* (as you call it) it would not have been for the Advantage of my ſelf or others, ſo unworthily then treated by it,

it, for you to have then uſed Perſonal Invectives to have rendred any *Witneſs* more odious; and when likewiſe it would have proved more dangerous to you, than *Scandalum Magnatum*. You having mentioned what *Authority* of *Teſtimony*, or real *Weight* and *Worth* there ſhould be to *Convict* a perſon of ſuch *Authority*, and that *Diamonds are not to be Cut, but with the duſt of Diamonds*, and that *it is not for nothing, that the* Scripture *Cautions, the* not receiving an Accuſation againſt an Elder, but by two or three Witneſſes; *and how the Canon Law requires 72 Witneſſes to Convict a Cardinal Biſhop, accuſed of any Crime but Hereſie, and 26 to Convict a Cardinal Deacon,*

and 7 to Convict any Clerk; did afterward very justly commend our *Judges*, for having at a known *Tryal*, acquainted the *Jury* that they are carefully to weigh the *Credibility* of *Witnesses Pardoned for Perjury*, and did learnedly shew out of the *Canonists* and *Schoolmen*, that the *Pope* himself with the *plenitude* of his pretended *Monarchical* Power, cannot by his Pardon, wash away the *infamia facti*, and thereby did sufficiently rescue my self and other *Honest* Men from the foul Hands of *Infamous* Witnesses. And that one *Notion* of yours, though softly *insinuated*, and with the *Gentleness* of a *Philosopher*, that *a Man Pardoned for Infamy, is to be allowed as a Credible Witness*

neſs only, after it hath been found that he hath acquired an habit of Virtue by the Series *of many Actions in the following part of his Life,* (*no Man being ſuppoſed able in a deſultory way, to leap out of a rooted habit of Vice, into an Heroical Habit of Virtue; and ſo* è contrà) was in effect a Thunderclap againſt the Teſtimony of the *Infamous* Perſon, who Slandered me by his *Affidavit*, and which too might ſerve to Deter all *Infamous* Perſons in that *Conjuncture*, from daring to try to *run* Men of probity *down* with the *noiſe* of *Shamme*: And your afterwards rendring ſuch Perſons capable of being *Accuſers* in the point of *Treaſon* (and even *as Hereticks are allowable by the Canoniſts, to accuſe a Pope of*

Hereſy) was enough pleaſing to me: As were likewiſe the *Curious* and *Soft* ſtrokes of your *Rhetorick* and *Reaſon* in the following *Page*, when on the *grounds* of the *dark* Colours of *ſuch Perſons* in general, *who cheated their Countrymen by Retail, and who had long acted only Devils parts on the Stage of the World, and been Malefactors*, you lay the *bright* ones of *ſaving their Country by Whole-Sale, and being Benefactors* &c. and whereby (as I may ſay) you have in effect, gilded the *Pillory* for them, and have added to the number of the Spectators of their ſhame; and by thoſe *ſoft* ſtrokes provided for the *Deletion* of that *Government* of the *Witneſſes*, better than the moſt *bold* touches

touches could *then* have done.

That *Empire* of theirs which you then *weighed*, hath been ſince *naturally* deſtroyed: And your having mentioned ſuch, having long *acted* the *Parts of Devils*, brings into my mind, what I ſomewhere met with *Cited* out of *Melchior Adam's* Liv s of the *German* Divines, (and with which I ſhall here *Divert* you, as you have me with ſome appoſit *pleaſant* paſſages in your *Letter*) Namely that *Bucholeer* ſaid by way of *Counſel* to one of his Friends going to live at Court, *Fidem Diabolorum tibi commendo*, &c. *and take heed how you believe Men's promiſes there, otherwiſe than warily and with fear.*

Your weighty *Notion* of the

Incredibility of any *things* ſworn, being to be much *regarded* in the *Depoſitions* of the moſt *Credible* Perſons, inclined me to a neceſſary *Caution* and *Fear*, as to the *Truth* of thoſe Oaths *aſſertory*, when both *Incredible* Perſons *Swearing*, and *Incredible* things *Sworn*, were in the *Caſe*.

I was therefore without any *fear*, (as I may ſay) an *Athanaſius* againſt the *World* of our *three* Eſtates, when I did (as you mention) publickly give my *Vote*, that *there was no ſuch IRISH PLOT, as was Sworn by the Witneſſes*: And what my *Senſe* was of any *Iriſh* or *Engliſh* Papiſts *PLOT*, I ſhall not here take occaſion to expreſs; but yet as to ſome perſons *Convicted* of the Popiſh *Plot* in *England*,

land, upon the *Oaths* of Witneſſes, who appeared in the *Eye* of the *Law* then, *probi & legales homines*, I was ſo *fearful* of the *Defects* of ſome *Witneſſes*, and their *ſayings*, that I being then *Lord Privy Seal*, interceded as earneſtly as I could with the *King* my *Maſter*, to grant his *Pardon* particularly in the Caſe of Mr. *Langhorne and* the *Titular* Arch-Biſhop *Plunkett*; and was as Active as any in the *Houſe* of *Lords*, in Exploding the *Infamous* Accuſation of the moſt Vertuous *then Queen Conſort*. And though in the unfortunate Lord *Staffords* Caſe, I going *Secundum allegata & probata*, I gave my Judgment as I did, yet his *late Majeſty* did *publicly* acknowledge that I was an Im-

portunate

portunate Solicitor with him for his *Lordſhips Pardon*, as well as for the *Pardon* of *Langhorn* and *Plunkett* above mentioned.

And you have done me but *Juſtice*, in mentioning that I *interceded with his late Majeſty for the Releaſing of all Lay and Clerical Papiſts whatſoever out of the Priſons*, who were not charged with the Popiſh *Plot*; And which I moved to his Majeſty, in the warmeſt time of the late Hot *Conjuncture*. I was always of your Mind in what you mention, that *'tis eaſier to give our Account to God for Mercy, than Juſtice*; and do more thank you for the Repreſenting my Habitual and Natural Inclination, to do all the good I can to all Mankind;

Mankind; and to make every miſerable Man I know, and cannot help, yet ſure of my Compaſſion; than for your having ventured by your kind Opinion, to Multiply or Magnifie any intellectual *Talents* in me.

I eaſily foreſaw at that time, that my then ſhewing the *Humanity* of a Man, the *Frankneſs* of a *Gentleman*, and *Charity* and *Compaſſion* of a *Chriſtian*, to the *Perſons* of many *Papiſts* and others, and doing as I did in the late *Conjuncture*, would occaſion deſigning Papiſts, and ſome perverſe *Nominal Proteſtants* (as you call them) to *make* a *Papiſt* of me, and did therefore eſteem it in you, (whom I never had opportunity to oblige)

lige) a Favour to do me Juſtice therein, as you have in the former part of your *Diſcourſe*; and of which (I think) the *Sheets* were ſent me *printed* within a *Month* or *two's* time after the old *Date* they bear. But a long fit of *S*ickneſs afterward ſeiſing you, and you then ſignifying to me, that you reſolved that the ſame ſhould not be publiſhed, till you added the following *part*; wherein for the Encouragement of ſo many Proteſtants, who were ſo much Diſpirited with imaginations of *Popery's* coming to be the *paramount Religion*, and of *Proteſtancy's* being Extirpated, you endeavor'd to ſhew the *impoſſibility* of the ſame (*Humanly* ſpeaking) and till you had likewiſe

finiſhed

finiſhed your *Caſuiſtical Diſcourſe* of the *Obligatorineſs* of our *Oaths* as to the King, his *Heirs and Succeſſors*: I was eaſily ſatisfied, with your taking your own time for the Publiſhing the whole, as knowing that the *Torrent* of *Shamm*, and *Calumny* by which the Reputations of many Loyal Perſons were born down, was too *violent* to be of any *long* continuance; and conſidering likewiſe, that your incorporating the *Character* of my *Life*, into a *Work* ſo full of various exquiſite Learning of all ſorts (and particularly of that now ſo much in requeſt, Namely, the reducing *Political* Matters by Calculation *ad firmam* (as you call it) that by the Courſe of Nature, muſt be immortal,

mortal, and probably pass *Christendom* in some *Language* more general than the *English*) would in time Render me a sufficient gainer by the false *Affidavit* which an angry *House* of *Commons*, so unwarily dispersed with their *Votes* throughout this Kingdom.

The truth is, you having been the first Person who took the pains to find out by the *Records* of the *Pole Bills*, and the *Bishops* survey, the *Number* of the *People* of *England*, have highly Merited the *thanks* of your *Country* thereby, as having necessarily rendred its *Figure* and *Alliances* in the World the more considerable. And it was the more proper to be done, by reason of *De Leti* having

Published

Publiſhed it, that that Learned Perſon, and my Worthy Friend *Monſieur Van Beuninghen*, had Judged the *People* here to be but *two Millions*; and becauſe as you have *Cited* it out of Dr. *Veſſius* his *Book* of *various Obſervations*, Dedicated by him to his late *Majeſty*, that the *Doctor* there hath Eſtimated the *People* in *England*, *Scotland* and *Ireland*, to be but *two Millions*.

I remember not in all the Books I have read, to have found ſo much, and ſo various *Political* Calculation, as in this your *Diſcourſe*: And becauſe you intend a *Review* thereof, I think it will be in any who have the *Cuſtody* of *Records*, that may be of uſe to you; a kindneſs to the publick, to be com-

communicative of them to you.

Though I need not obſerve to any *Reader* of your *Diſcourſe*, the *height* of your *Eloquence* and great unaffected *Wit*, and the *Nervous* way of *Argumentation* appearing therein, yet I am obliged to acquaint you, that in ſome particular *paſſages* therein, my Obſervations of *Men* and *Things*, have been different from yours: But all of which I hold my ſelf likewiſe obliged, not to trouble the World or you with at this time; for your having mentioned your intended *Review*, to be Publiſhed in a Volum by it ſelf: I who have received ſo much kindneſs from you, am to do you the *Juſtice* to ſtay a while

while in expecting your *Second* thoughts, and without *boding* ill of your being any way partial therein; yet ſhall here at preſent acquaint you, that as I am a *Member* of the *Church* of *England*, as now by *Law* Eſtabliſhed, I will not Recede a *Jot* from its *Doctrine*, by Judging the *Papacy* not to be *Antichriſt*, or by judging the Worſhipping the *Hoſt*, not to be *formal* Idolatry, as my Honoured Friends, Dr. *Hammond* and *Biſhop Taylor* (as you ſay) have done: And ſhall here obſerve to you, that tho' Biſhop *Taylor* in his *Liberty of Prophecying*, pronounced *Worſhiping* the *Hoſt*, to be not *FORMAL Idolatry*, yet afterward upon more Mature thoughts, he in

his *Diſſwaſive againſt Popery*, did make it *FORMAL Idolatry.*

I ſhall likewiſe tell you, that Biſhop *Sanderſon*, whom you ſo often *quote*, and whoſe Judgment you ſo deſervedly Celebrate, doth amongſt his *Sermons* printed *Anno* 1657. in the *fifth* Sermon, *Ad Populum p.* 287. in plain Terms call the Pope *the Man of Sin*; the *Text* of the Sermon is 1 *Tim.* 4. 4. The Biſhop there repreſents the *Church of Rome* as *injurious* to our *Chriſtian Liberty*, whom St. *Paul* in this *paſſage* (ſaith he) hath branded with an indelible note of *Infamy*; in as much as thoſe very *Doctrines*, wherein he gives an inſtance, as *Doctrines of Devils*, are the *received Tenets* and *Concluſions* of that *Church*, not to inſiſt on other

other prejudices done to *Chriſtian Liberty* by the *intolerable Uſurpation* of the *Man of Sin*: where he refers in his Margent to 2 *Th.* 2, 3. who *exerciſeth a Spiritual Tyranny* over Mens *Conſciences*, as oppoſite to *Evangelical Liberty*, as *Antichriſt* is to *Chriſt*. *Let us a little ſee how ſhe hath fulfilled St.* Pauls *Prediction, in teaching Lying and Diveliſh Doctrines, and that with ſeated Conſcientes and in Hypocriſie*, in the *two Specialties mentioned in the next verſe*, viz. *Forbidding to Marry; and commanding to abſtain from Meats*. And then the Biſhop ſaith, *Marriage, the Holy Ordinance of God, is yet by this purple Strumpet forbidden, and that* Sub Mortali to *Biſhops, Prieſts, Deacons, &c.* and he

there for that Appellation of *purple Strumpet*, refers in his Margent to, *Rev.* 17. 13.

And as I have here cited this great B. for this purpoſe; ſo I may likewiſe refer you to the work of our B. of *Lincoln* called *Brutum Fulmen*, as proving the Pope to be *Antichriſt*, contrary to the Aſſertions of *Grotius* and Dr. *Hammond* and others: I never think of this Biſhop, and of his Incomparable Knowledge, bōth in Theology and Church-Hiſtory, and in the Eccleſiaſtical Law, without applying to him in my Thoughts, the Character that *Cicero* gave *Craſſus*, viz. *Vir non unus é multis, ſed unus inter omnes, propè ſingularis*: And I deſire here to own my beholdingneſs to his com-

communicative Diſpoſition, for aſſiſting me with quotations and his Judgment when I have occaſion to Crave his Aid therein, as you know I have lately done; and ſhall be glad that the learning in ſuch Letters as I have received from him, wherein there are many excellent Notions, which I had no occaſion to quote, may ſometime ſee the light.

But I am in the next place with Juſtice, to acknowledge it to you, that you have in your *Reflections* on the *Uſurpations* of the *late* times, acquainted the World with ſeveral things uſeful to be inſerted in the *Hiſtory* of that *Age*, and could wiſh that ſuch a *Writer* as your ſelf, would undertake the writing of it.

Nor can I forbear to obſerve, that your occaſional propping up the great *Characters* of many of his Majeſties *Miniſters* in your *Diſcourſe*, in very warm *Conjuncture*, when a *Factious* Multitude was ſo buſy in Demoliſhing their Reputations, was worthy your great thoughts and generoſity: And your particular painting the *Character* of the late *Earl* of *Clarendon* in ſuch Noble *Colours* (and with Somewhat as *bold* ſtrokes too of your Fancy and Judgment, as *Ærodius* ſhew'd in his penne's *Nulling* the *Laws* made above a thouſand years ago, againſt the *Heroical* Men you have menti-on'd) was in you an adventurous piece of Juſtice. The courſe of Mortality hath carryed

ryed ſeveral perſons *off* the Stage, whom you mention'd as then living, and particularly the late Duke of *Norfolk*, of whom in *p.* 174. of your *Diſcourſe* you ſpeak as one of the *three Earls* then *Living*, who went from the *Church* of *England*, to the Roman-Catholick Communion; and whom you ſince told me, you there introduced only with his Title of *Earl* (a Title that was due to him as *Earl* of *Norwich*, *Arundell* and *Surry*) making bold to Level him with the Title of the other two, (*viz.*) the late *Earl* of *Briſtoll*, and the late *Earl* of *Inchiqueen*, as intending thereby, that if he had lived to have read your *Diſcourſe*, (of which you told me, you

communicated ſeveral parts to him) he might by that little Obſcurity, ſee the Reverence you had paid to that picture of your known great *Friend*, by your drawing a *Curtain* before it.

The *Earl* of *Radnor*, and the late *Lord Keeper North*, whoſe Characters you have ſo greatly painted to Eternity, left the World, without ſeeing the right that you had ſo generouſly done them in *Defiance* of the vulgar Clamour.

I am moreover here to own my thanks to you, for giving me occaſion by your ſo frequent *quoting* of D'*Oſſat*, to renew my Converſation in my *Library*, with that great Author.

His Excellent *Letters* were formerly

formerly freſh enough in my Memory; and time was heretofore, when not to be well *verſed* in him, was a Reproach to a Man employed in *Affairs* of the *State*, as you will ſee by my *Lord Falkeland* the *Secretary* of *State*'s printed *Letter*, in *anſwer* to Mr. *Walter Montagues* Letter, where ſpeaking of *D' Oſſat*, he adds, viz. *An Author which, I know, Mr.* Montague *hath read; becauſe whoſoever hath but conſidered State Matters, muſt be as well skill'd in him, as any Prieſt in his breviary.*

You very well in *p.* 38. obſerv'd how one *Prieſt*, that in his *Book* conſidered *State Matters* and quoting *D' Oſſat* about the ſame, was not ſo well skilled

skilled in him, as in his *Breviary*; I mean, Mr. *Browne* the *Franciſcan*, who in his *ADVOCATE of Conſcience Liberty*, Cited *D'OSSATS Letter*, to ſhew that the *Gunpowder-Treaſon* was *contrived* by CECIL.

But it was the ill fate of that *Cardinal*, on the account of his great Fame for the *Politicks*, to be falſely *Cited*, and even as to the point of the *Gunpowder-Treaſon*, by ſeveral who never read him, and particularly by Mr. *Osborne*, in his *works* bound together, *p.* 487. among the *Memoirs of King* James, where he ſaith; *And here I cannot omit, that after this happy Diſcovery, his Catholick Majeſty ſent an Agent, on purpoſe to Congratulate King* James *his great*

great preſervation from the Gun-powder-Treaſon, a flattery ſo palpable, as the Pope could not forbear Laughing in the face of Cardinal D' Oſſat, *when he firſt told it him: Nor he forbear to inform his King of it, as may be found in his printed Letters.*

You have truly ſhewn it out of the *Cardinals* Epitaph, printed in the *Edition* of his *Letters* in *Folio*, that he dyed in the *year* 1604.

I am very glad, that for the Honour of the *Reformation*, you have with ſo much *Candour*, and likewiſe with Subſtantial *Calculation*, Confuted an Unjuſt inſinuation againſt it, made by the *Author* of the *Compendium*, who there in p. 77. ſaith, *can it be ſaid that the Monarchy*

of

of England *hath gotten by the Reformation (and what deſperate Enemies that hath created, us may be eaſily imagined) that nothing but* Popery, *or at leaſt its* Principles, *can make it again emerge or laſting.*

It was fit that the clearing of the truth in that matter, ſhould be undertaken by ſome one or other of our *Church*; and it hath been by you very Satisfactorily performed: And your thus Confuting that *Author*, without naming him or his *Book* in that part of your *Diſcourſe*, where you were doing it, was the more Congruous to the meaſures of Charity and *Candour*; and the more for the advantage of your undertaking.

It

It was likewiſe fit, that the minds of ſo many People, whoſe Humour in the late Fermentation was *deſperare de Republicâ*, ſhould be fortified with Reaſon: And that the popular *Nuſance* of *FEARS AND JEALOUSIES* ſhould be removed, and which you have ſo much *ex profeſſo* (I think) beyond any of our late Writers done.

And while the *vulgus* of *Writers* were entailing *Fears* and *Jealouſies* upon us; your *predicting* from *Natural* Cauſes, the Happy *Future STATE* of your *Country*; and that the *Fermentation* would be *perfective* to it, (as your words are) was an Attempt of a great *Genius*.

And I cannot but in Juſtice ſay to you, that your thoughts

in

in *p.* 194, 195. of the Folly and Madneſs of any *Republican* Modellers here, are *new* and *great*.

Moreover, as I always had a Juſt and High value and Honour for the Endowments of his Preſent Majeſty, that were in him *Conſpicuous* to the World, when *Duke* of *York*; and was as much aſhamed of the oppobrious *Calumnies*, that his *great* Character was then expoſed to, as any Man whatſoever; (and was likewiſe more concern'd for the ill uſage he had, than for my own, when my poor Name was in the printed *Affidavit*, enforced to March round the Kingdom with his Great and Illuſtrious one;) ſo I was glad that in the late Conjuncture, I found by ſome printed

ted *Sheets* of your *Diſcourſe* then ſent me, your papers Repreſentation of his *Character* made him amends for the *Sanbenito* of the *Affidavit*.

And the *Strictures* of your great *Fancy* and *Judgment*, with which you ſo apparently refer to his Character in *p.* 122. 176. 211. 271. and others in your *Caſuiſtical Diſcuſſion*, tho' they were but ſhort, and ſeemingly *en paſſant*, yet they were like the *ſlanting* of Lightning, and like glances, whoſe quick Movements, might probably Create much more powerful Paſſions of *Love* and *Admiration* in a *Reader*; than if you had *penned* his Character in *Set* formal *Panegyricks*, whoſe Hony ſoon cloys, and leaves no ſting or im-

Impreſſion in the Mind.

But that which I may parallel, with any *Coup de Maitre* in your, or perhaps any Diſcourſe, and Writ with ſuch great Advantage for his preſent *Majeſties* Service; and wherein the Mixtures of your great Colours is ſo Admirable, and wherin you have painted according to the height of a *pittore*, that the *Italians* ſay, muſt paint *con diligenza & con amore & con fortuna*, is what I find in your *page* 217, and 218. For 'tis there, that in your great picture of His *Late* Majeſty as an *Agoniſt*, and laying the *Crown of Righteouſneſs* before him, *eo nomine*, and as *Contending* for the *Succeſſion*; You have interweaved the *picture* of your own

Loyalty

Loyalty and *Contention* for it, with ſuch *bold* Touches, as I ſhall not name; but *refer* the *Reader* to them, which it was pitty but your *Index* had done, with a *hand* in the *Margent*.

There is no doubt; but the very *Curioſity* of the *Calculations* in your *Diſcourſe*, would have brought it into the *late* Kings *Cabinet*, and to his peruſal, had he lived till its *Publication*; and your great Majeſtick *Inſinuations* of perſwaſive Arguemnt, there brought apparently with a Deſign to fortifie his great Mind againſt any poſſible further Batteries from Members of any of the three Eſtates, to occaſion his conſenting to the *Excluſion*, muſt neceſſarily have been ſoon

perceiv'd by ſo quick an Apprehenſion as his Majeſties; and could not but have made deep *impreſſions* on him, for the continuance in his former purpoſe. And I will hereupon ſay, that if any *Loyal* Roman-Catholick would not on the Account of what you have ſaid in thoſe two pages, abſolve you from his ſevere Cenſuring of the warmeſt paſſages againſt Popery, in your whole *Diſcourſe*, he would injure his own Judgment. And the Truth is, *Arch-Biſhop Hutton's* minding Queen *Elizabeth* ſo boldly from the *Pulpit*, though yet with a *Salvo* to the Rules of Modeſty, and *Decorum*, of what in Juſtice concerned her as to K. *James's* Succeſſion; which you have men-

mentioned, and which was by her ſo well taken, was not a harder Task to be performed, than what you preſented to the conſideration of his Late Majeſty from the *Preſs*, in the Affair of his preſerving the *Lineal* Succeſſion of his preſent *Majeſty*.

As it is natural to Men, on the ſight of any Combatants or Wreſtlers, whom they had never before ſeen, to wiſh better to the one, than the other; and to have their *Fancy's* by the *Current* of *Nature* conſtantly carryed along, to favour the Fortunes of this or that Contender, whom yet they never ſaw, ſo I have during the courſe of our long acquaintance, obſerved in you on all occaſions, a

natural and conſtant tenderneſs in your *Wiſhes* of *Happineſs*, and good *Succeſs* to his preſent *Majeſty*, when *Duke* of *York*. And had not you on *grounds* of *Nature*, and ſo like a *Philoſopher* expreſſed the ſame, and from the Knowledg of things in particular, founded your *Conjectural* meaſures of *Englands* future *Happy State*, if under his Government, but had only *preſaged* well of his *Reign* in *general*; one might have thought that your natural *Affection* and Honour for his Perſon, might have *byaſſed* you that way, as a *prædicter*, rather than the *natural* knowledge of things; eſpecially conſidering what you have well hinted, that *the very prædiction of things, is often a*

Natural

Natural cauſe, in ſome degree, of Men's being Animated to bring them to effect.

And indeed, I receiving many of your printed *Sheets*, during our late *Fermentation*, when ſo many *Writers* ſeemed *Aſſociated* in the *prædiction* of the *worſt* of *Events*, under a Popiſh *Succeſſor*, was the more pleaſed to find one Man that was not like a dead fiſh carryed down with the *ſtream* of the *Times*, as to the point of ill *boding* to the *publick*; and the ſtrength of whoſe *fancy* mixt with his great *Reaſon* and Judgment, might be able to help to turn that *ſtream*.

And *God* be thanked, that by his *Majeſties* coming to inherit the *Throne* of his *Anceſtors*,

with almoſt as equal *Peace* and *Joy* of the *People*, as his *Royal* Brother was Reſtored to the ſame, (and for your Deſcription of the *Figure* I made in which latter, or to ſpeak more properly of my *Duty* I diſcharged therein, I return you my Juſt Acknowledgments) and by his ſo early and voluntary Gracious *Declaration*, of his defending the *C.* of *E.* and the Civil Government, as by *Law* Eſtabliſhed; and ſo publickly owning the Loyalty of the Principles of that *Church*, and by his continuance of the *proſperity* of that Church, and the *Peace* and *Proſperity* of the *Kingdom*, while *the whole Creation* (as I may ſay) *groans* under the preſſure of ſome of our Proteſtant *Bre-*

thren

thren abroad, you have hitherto appeared ſo much a True *Prædicter* as you have.

I am likewiſe glad hereby, that another Learned Perſon of our Church, I mean Dr. *Thomas Sprat*, the *Lord Biſhop* of *Rocheſter*, taking his view of the Future *State* of *England*, in his *Hiſtory* of the *Royal Society*, and there ſaying, as you have Cited it, that *we may ſafely conclude, that what ever viciſſitude ſhall happen about Religion in our time, it will probably be neither to the advantage of implicit Faith, nor of Enthuſiaſm*, has hitherto appear'd ſo fortunate in that *prædiction*.

God be thanked that ſuch as in the late *Conjuncture*, troubled us with the being *Lachrymiſts* in

another, and the imagin'd *nubecula est, &c.* as to *persecution*, have had some cause to be ashamed of their *Fears*: And that you have hitherto had no more cause to be ashamed of *prædicting Englands* future *pacifick* state, though yet we have had a * *Rebellion* since. But as to that, it may be properly said, that, that *persecution* against the Throne, *nubecula fuit, & transivit.*

* *Monmouths*

We have had presently after the Kings coming to the Throne, a little *Cloud* of Calumny cast on the Reputations of four of the most Eminent *Divines* of our *Metropolis*, by some of their fellow Subiects, supposed Roman Catholicks; but it soon *passed* off: And God

brought

brought forth their Righteouſneſs as the Light, and their Judgment as the Noon-Day: And the thing ſcarce deſerves to be remembred, that after they had thus *miſrepreſented* four ſuch Proteſtant *Divines* with ſo much falſhood, ſome others of thoſe publiſhed a Book, called *The Papiſt Miſrepreſented, and Repreſented,* and which is lately anſwer'd with that Candour and Strength of Reaſon, that ought to be in *Theological* Writings; and wherein as the Lord *Falkeland* who was then Secretary, was wont to ſay, *it was as abſurd to mingle angry reviling expreſſions, as to do ſo in a Love-Letter.* There was a deſpicable Childiſh *Pamphlet* (and Writ with too much *petulant* inſolence)

lence) called, *An Addreſs from the Church of* England, *to both Houſes of Parliament*; and which was by many of the *Fathers* of that *Church*, held not worth the taking notice of.

And becauſe it is very Ridiculous for any now to think to Re-Baptize the preſent *Church* of *England*, with the Name of *ROMAN* Catholick: I have here thought fit, in purſuance of what you mentioned in *p.* 76. to let you and others have a Copy of the *Reſcript* or *Judgment* of the *Univerſity* of *Oxford*, to *Henry* the 8*th.* whereby the *Biſhop* of *Rome* was pronounced to have no more *power* here by the *Word* of *God*, than any other *Foreign* Biſhop. I Judge that that Old *Book* of Dr. *James*'s

James's you refer to, *is* called *A Manuduction or Introduction unto Divinity, containing a Confutation of Papiſts by Papiſts*, &c. *by* Tho. James, *Doctor of Divinity, late fellow of New-Colledge in Oxford, and Sub Dean of the Cathedral Church of* Wells, *printed at* Oxford. 1625.

The Book is full of great Learning, and Dedicated to the then *Lord Keeper, Biſhop of* Lincoln: And there under his third *propoſition*, (viz.) the *King is not Subject to any Foreign Juriſdiction*, he tells us in p. 40. 'that K. *Henry* the 8th. being at 'Variance with the Pope, a 'Parliament was called within 'two years, and a Motion was 'made therein, that the King 'ſhould be declared Head of the 'Church.

'Church. But his Maieſty
'refuſed, till he had Adviſed
'with his Univerſities, of that
'point. And whilſt the Parli-
'ament Sate, (God, in whoſe
'Hand the Hearts of Princes
'are, ſo diſpoſing it) the King
'reflecting belike on *Wickliffs*
'former Articles, directing his
'Letters to the Univerſity of
'*Ox.* about Electing the Bp. of
'*Lincoln*, into the Chancellor-
'ſhip of the Univerſity of *Ox-*
'*ford*, in the room of Arch-Bi-
'ſhop *Warham* lately Deceaſed;
'After the Accompliſhment
'whereof (*ſaith the King*) our
'Pleaſure and Commandment
'is, that ye, as ſhall beſeem Men
'of Vertue and profound lite-
'rature, diligently intreating,
'examining, and diſcuſſing a
'certain

'certain queſtion ſent from us
'to you, concerning the Pow-
'er and Primacy of the Biſhop
'of *Rome*, ſend again to us in
'writing, under your common
'Seal, with convenient Speed
'and Celerity, your mind, Sen-
'tence, and aſſertion of the
'Queſtion, according to the
'mere and ſincere Truth of the
'ſame, willing you to give
'Credence to our Truſty and
'Well-beloved, this bringer,
'your Commiſſary; As well
'touching our further pleaſure
'in the premiſſes, as for other
'matters,&c. Given under our
'Signet, at our Mannor of
'*Greenwich*, the 18*th* Day of
'May. 'Tis there ſaid in the Margent, *Ex Regiſtro Act. in archivis Academiæ Oxon. Ad*

Ann.

Ann. Dom. 1534. p. 127, &c.

The Doctor then thus goeth on; 'Upon the Receipt of 'theſe Letters, the Univerſity '(at that time for ought we 'know, conſiſting all of Pa- 'piſts) being aſſembled in Con- 'vocation, Decreed as follow- 'eth; That for the Examinati- 'on, Determination and Deci- 'ſion of this queſtion, ſent unto 'them to be Diſcuſs'd from the 'Kings Majeſty; whether the 'Biſhop of *Rome* had any great- 'er Juriſdiction Collated upon 'him from God in the Holy 'Scripture, than any other Fo- 'raign Biſhop; that there ſhould 'be Deputed thirty Divines, 'Doctors and Batchelors of 'Divinity to whoſe Sentence, 'Aſſertion or Determination,

'or

'or the greater part of them', 'the Common Seal of the Uni-'verſity, in the Name thereof 'ſhould be annexed: And then 'ſent up to his Majeſty. And 'the 27*th.* of June, in the year 'of our Saviour 1534. this In-'ſtrument following, was made 'and ſent up Sealed with the 'Common Seal of the Univer-'ſity. The *Inſtrument* it ſelf is 'in *Latin*; but is in *Engliſh* thus: 'To all the Sons of our Mother 'the Church, to whom theſe 'preſent Letters ſhall come, '*John*, by the Grace of God, 'Chancellour of the Famous 'Univerſity of *Oxon*, and the 'whole Aſſembly of Doctors 'and Maſters, Regents, and not 'Regents in the ſame, greeting. 'Whereas our moſt Noble and

'Mighty

'Mighty Prince and Lord, *Hen.* 'the 8*th.* by the Grace of God, 'of *England* and *France*, King, 'Defender of the Faith, and 'Lord of *Ireland*, upon the 'continual Requests and Com-'plaints of his Subjects, Exhibi-'ted unto him in Parliament, 'against the intolerable exacti-'ons of Foreign Jurisdictions, 'and upon divers Controver-'sies had, and moved about 'the Jurisdiction and Power of 'the Bishop of *Rome*; and for 'other divers and urgent Cau-'ses against the said Bishop then 'and there expounded and de-'clared; was sent unto, and 'humbly desired, that he would 'provide in time some fit Re-'medy, and satisfie the Com-'plaint of his dear Subjects: He,

'as

'as a most prudent *Solomon*,
'minding the good of his Sub-
'jects, over whom God hath
'placed him; and deeply ponder-
'ing with himself, how he might
'make good and wholsom
'Laws for the Government of
'his Common-Wealth; and
'above all things, taking care
'that nothing be there resolved
'upon against the *Holy Scrip-*
'*tures*; (which he is, and ever
'will be ready to Defend with
'Hazard of his Dearest Blood)
'out of his deep Wisdom, and
'after great pains taken herea-
'bours, hath Transmitted, and
'sent unto his University of
'*Oxon*, a certain question to be
'Disputed, *viz.* whether the
'Bishop of *Rome* hath any great-
'er Jurisdiction granted to him

'from God in the Holy Scrip-
'tures, to be exercised and used
'in this Kingdom, than any o-
'ther Foraign Bishop; and
'hath commanded us, that dis-
'puting the question, after a di-
'ligent and mature Delibera-
'tion and Examination of the
'premisses, we should certifie his
'Majesty, under the Common
'Seal of our University, what
'is the true meaning of the
'*Scriptures* in that behalf, accor-
'ding to our Judgments and
'Apprehensions. We therefore
'the Chancellor, Doctors and
'Masters above Recited, daily
'and often remembring, and
'altogether weighing with our
'selves how good and godly a
'thing it is, and Congrous to
'our Profession, befitting our
Sub-

'Submiſſions, Obediences and
'Charities, to foreſhew the way
'of Truth and Righteouſneſs,
'to as many as deſire to tread
'in her ſteps; and with a good,
'ſure and quiet Conſcience, to
'Anchor themſelves upon Gods
'Word: We could not but
'endeavour our ſelves, with all
'the poſſible care that we could
'deviſe, to ſatisfie ſo Juſt and
'Reaſonable a Requeſt of ſo
'great a Prince (who next un-
'der God, is our moſt Happy
'and Supream Moderator and
'Governor.) Taking therefore
'the ſaid queſtion into our
'Conſiderations, with all Hum-
'ble Devotion, and due Reve-
'rence (as becometh us) and
'Aſſembling our Divines toge-
'ther from all parts, taking

'time enough, and many days
'ſpace to Deliberate thereof di-
'ligently, religiouſly, and in
'the fear of God, with zealous
'and upright Minds; firſt
'ſearching, and ſearching again
'the Book of God, and the beſt
'Interpreters thereupon diſpu-
'ting the ſaid queſtions, So-
'lemnly and Publickly in our
'Schools, have in the end, una-
'nimouſly, and with joynt
'conſent, reſolved upon the
'Concluſion; that is to ſay,
'That the Biſhop of *Rome* hath
'no greater Juriſdiction given
'unto him in Scripture, than
'any other Biſhop, in this King-
'dom of *England*: Which our
'Aſſertion, Sentence, or De-
'termination, ſo upon delibe-
'ration maturely and through-
'ly

'ly diſcuſſed; and according 'to the Tenor of the Statutes 'and Ordinances of this our 'Univerſity concluded upon 'publickly, in the Name of 'the whole Univerſity; we do 'pronounce and teſtifie to be 'ſure, certain and conſonant to 'the Holy Scripture. In wit-'neſs whereof, we have cauſed 'theſe our Letters to be writ-'ten, Sealed, and ratified by the 'Seal of our Univerſity. Given 'in our Aſſembly Houſe the '27*th.* of the Month of *June*, 'in the year of Chriſt, 1534.

I took care formerly to ſatisfie the *Curious*, by my taking a *Copy* of this *Reſcript* out of the *Records*, in the *Regiſtry* of the *Univerſity* of *Oxford*; and which I not being able at preſent to

find among my *Papers*, have ſent you this *Engliſh* Tranſlation of it, as *Printed* in that *Book* of Dr. *James*'s.

That *Book* of his, any one may ſee in the *Catalogue* of the *Bodleian* Library, and of which *Library*, he was the *Head-keeper*, And in that Office, very Diligent and Careful, and was a Perſon of great Learning and Probity.

The Knowledge of this *Reſcript* of that *Univerſity*, and likewiſe of the other of *Cambridge*, is neceſſary to all who will be Maſters of the Knowledge of the *Hiſtory* of thoſe *times*. For the *Author* of a *Book* in Quarto, Printed in *Oxford*, in the *year* 1645. called, *the Parliaments power in Laws*

for

for Religion, having there in *p.* 4. said that *the third and Final Act for the Popes Ejection, was an Act of Parliament*, 28. H. 8th. c. 10. entituled, *an Act extinguishing the Authority of the Bishop of* Rome: Saith, *it was usher'd in by the Determination first; and after by the practice of all the Clergy; for in the Year* 1534. *which was two years before the passing of this Act, the King had sent this Proposition to be agitated in both Universities, and in the greatest and most famous Monastery's of the Kingdom, That is to say,* An aliquid authoritatis in hoc Regno Angliæ Pontifici Romano de Jure competat plusquam alii cuicunque Episcopo extero? *By whom it was Determined Negatively, that the*

Biſhop of Rome had no more power of Right in the Kingdom of England, *than any other Foraign Biſhop; which being Teſtified, and return'd under their Hands and Seals reſpectively, (the Originals whereof, are ſtill remaining in the Library of Sir* Robert Cotton) *was a good preamble to the Biſhops, and the reſt of the Clergy Aſſembled in their Convocation to conclude the like. And ſo accordingly they did, and made an Inſtrument thereof Subſcribed by the Hands of all the Biſhops and others of the Clergy; and who afterward confirm'd the ſame by their Corporal Oaths: The Copies of which Oaths and Inſtruments, you ſhall find in* Foxes *Acts and Monuments*, vol. 2. fol. 1203. and 1211. *of the Edition*

of John Day, An. 1570. *And this was ſemblably the ground of a following Statute.* 35. H.8.c.1. *Wherein another Oath was deviſed and ratified, to be impoſed upon the Subject; for the more clear aſſerting of the Kings Supremacy, and the utter excluſion of the Popes for ever: Which Statutes, though they were all Repeal'd by one Act of Parliament,* 1ſt. *and* 2d. *of* Phillip *and* Mary C. 8. *Yet they were brought in force again,* 1 Eliz c. 1.

My Lord *Herbert*, in his *Hiſtory* of *Henry* the 8*th.* under the *year* 1534. and the 26*th. year* of his Reign, *p.* 408. telling us, *that it was Enacted, that the King by his Heirs and Succeſſors Kings of* England, *ſhould be Accepted and Reputed the Supream*

pream Head on Earth of the Church of Eng *called* Eccleſia Anglicana, *&c.* ſaith that, *that Act, though much for the manutention of the Regal Authority, ſeem'd not yet to be ſuddenly approved by our King, nor before he had conſulted with his Counſel,* &c. *and with his Biſhops; who having diſcuſſed the point in their Convocations, declared, that the Pope had no Juriſdiction warranted to him by Gods Word in this Kingdom; which alſo was ſeconded by the Univerſities, and by the Subſcriptions of the ſeveral Colledges, and Religious Houſes,* &c.

Moſt certainly *Hen. the 8th's.* gaining this point, that the Bp. of *Rome* hath no more power here by *Gods Word*, than any other Foraign Biſhop, was of great

great and neceſſary uſe, in order to the effectual withſtanding the Papal Uſurpations; and was *re verâ*, the *gaining of a Paſs*; and for which end, he made uſe of intellectual *Detachments* from his *Univerſities*.

And ſuitably to the Wiſdom of our Anceſtors here, in *Henry 8ths.* time, any *Popiſh* Prince abroad, who intends effectually to Combat the *Papal* Uſurpations, muſt firſt *gain* that *Paſs*: For the effect of the common ſayings in *Natural* Philoſophy, that, *Natura non conjungit extrema niſi per media*, and that *Natura non facit Saltum*, muſt likewiſe obtain in *Politicks*, when the Nature of things is operating there toward a Reformation of Church or *State*.

And

And this weighty *Reſcript* of the *Univerſity* of *Oxford*, not being Printed in Dr. *Burnets* excellent Hiſtorical *Books* of the *Reformation*, nor yet in *Fox* his *Martyrology*; and now Publiſhed here, as ſet down in *Engliſh*, by Dr. *James*, may perhaps ſerve uſefully to illuminate the World abroad, about the way of its *Tranſitus* from Popery.

But here I ſhall obſerve, that though I find, in Mr. *Fox* his *Acts and Monuments* Printed in 3 *Volumes* in *London*, for the Company of *Stationers*, An. 1641. the *Judgment* of the *Univerſity* of *Cambridge* is there ſet down, in *p.* 338. and relates to the ſame year with the *Oxford Reſcript*, namely the year 1534. yet it doth not there appear to

be

be a Reſcript to King *Henry 8th.* by way of return to a *Letter* from his Majeſty; and it begins thus: *Univerſis ſanctæ Matris Eccleſiæ filijs, ad quos præſentes literæ perventuræ ſunt; Cœtus omnis Regentium & non Regentium Academiæ Cantabrigienſis, ſalutem in omnium Salvatore Jeſu Chriſto. Cum de Romani Pontificis poteſtate*, &c. And then follows the Tranſlation of the whole in *Engliſh*; and which makes about half of that page 338, and wherein the ſame Judgment for ſubſtance is given, with that of the *Oxford Reſcripts*: *That the Biſhop of* Rome *hath no more State Authority and Juriſdiction given him of God in the Scriptures over this Realm of* England, *than any other*

other extern Bishop hath. That *Instrument* hath not there the *Date* of any *Month* to it, as the *Oxford Rescript* hath: But in the Body of the Instrument 'tis mentioned, that the *Judgment* of *that University* was therein *required*, though not by whom; and towards the Conclusion of it, 'tis Styled an *Answer*, *in the Name of that University*; and 'tis probable, that the *Judgment* of that *University* might have been *required* by some of the *Ministers* of King *Henry* 8*th.* and by his Order; whereas the *Oxford Rescript*, mentioned his *Majesties* having *himself* required the *Judgment* of that *University* in that point.

What I have here mentioned of the *Judgment* of our two *Universities*,

verſities, gives me occaſion to take notice of an *Overſight* of my *Lord Herbert*, in this place of his *Hiſtory*, by me Cited; For he in this *p.* 408. makes *the Univerſities Determining, that the Pope had no Juriſdiction warranted to him by Gods Word in this Kingdom*; whereas he *ſhould* have Repreſented their *Senſe* of his not having *more* here, than any other Foraign Biſhop. And thus you truly expreſs the Senſe of their Judgment in this Caſe, when you ſay *p.* 70*th.* of your Book, that *the Popes Cards were, by the Clergy that plaid his Game, thrown up, as to all claim of more power here by the Word of God, than every other Foraign Biſhop had: And both our Univerſities ſent their Judgments about the ſame thing*

thing to the K. which, *methinks, might make our Papists approach a little nearer to us, without any fear of Infection. For we allow the Bishop of* Rome *to have as much power by the Word of God here, as any other Foraign Bishop; and 'tis pity but that the Judgment of our Universities, were shewn the World in Print, and sent to the* French *King; and particularly the Judgment or Rescript of the University of* Oxford, *as not being any where in Print as I know of; But in an Old Book of Dr.* James's, *against Popery.*

But as to your thought of having that *Rescript* of the *University* of *Oxford*, sent to the *French* King; I for my part, am disinclined to it. The printing of it here, may probably bring

it

it to the notice of his Miniſters, and ſo perhaps to his. I have heard how the *French* Embaſſador, not long ago applyed to a Learned Friend of ours, of the long Robe, and of the Church of *England*; and one who is a great *Antiquary*, and deſired him to furniſh him with *Copies* of *Records* not printed in Dr. *Burnets* Works, that related to *Henry 8th's* withſtanding the *Papal* Uſurpation; and no doubt but the *Copy* of this *Oxford Reſcript*, would have been as welcom to him, and as neceſſary to Compleat his Collection, as any could have been; and the publication of it, may perhaps be of uſe in ſome places of the Roman Catholick World abroad: But I fear, that

the preſent *French* King, will never without ſome ſtrange unexpected provocation, received from the Papacy, advance ſo far towards the confines of Reformation, as *Henry 8th.* did. I know it was but Congruous to Worldly Politicks (however contrary to Juſtice) for *French* Kings formerly to uſe very high Severities to their Proteſtant Subjects, in the Conjunctures of their quarrelling with the Pope; and this you well obſerve in *p.* 329. out of the *Book* called, *the Policy of the Clergy of France*; Namely, that *the French Kings never made any Aſſaults on the Papal Power; but what coſt their Proteſtant Subjects very dear.* And of the like Nature, were the *Political* Meaſures of *Henry* the

the 8*th* here, who at the ſame time, burn'd his *Proteſtant* Subjects, for what he called *Hereſy*, that he hang'd ſome of his *Popiſh* ones, for what he called *Treaſon*, in abetting the Papal *Supremacy*.

I know we ſhould not preſume to *limit* the moſt *Holy* God, as to what Inſtruments he ſhall, or ſhall not uſe in the *Melioration* of the Affairs of Church or State: But the *French* King is one, I never think of without *Horror*. Nor do I entertain any *idea*, of Gods making any right Lines in the World, by ſo crooked an Inſtrument. If *David* muſt not be allowed by the Courſe of Providence, to build the Temple; becauſe his Adminiſtration of the Govern-

ment,had been ſo much dipp'd in *Blood*;what good to Religion can we *preſage* from ſuch a Monarch, as has made all *Chriſtendom* almoſt one great *Aceldama?* The great God will,I believe, take his time to make this Monarch ſhare in the uſual fate of *Perſecutors*, how proſperous ſoever he may be at preſent, according to what is commonly obſerved out of the *Heathen* Moraliſt: That *the Divine Wheels are grinding,and will grind to powder, though they are ſlow in Motion.* Nor did God think fit to uſe our *Henry 8th.* as an Inſtrument to contribute towards the building his Houſe here, further than by removing the *Rubbiſh* of the Papal *Uſurpations*, and by ſoSignally Acting therein,

in, by compaſſing the Popes power, to be here reduced to the *level* of that of every other *Foraign* Biſhop. This was a *Momentous* thing, and worthy the Sagacity and Politicks of King *Henry*, and his Miniſters, and it muſt however be for his Honour acknowledged in our *Engliſh* Story.

The truth is, that it having been ſo Cuſtomary for the Biſhops of *Rome*, when they met with a weak King here, or one whoſe Affairs were Embarraſſed, to *interlope* in their Temporal Concerns; and to preſume to diſpoſe of their Crowns and Regalities; it was but Natural, for ſuch a Magnanimous Monarch as *Henry* the *8th.* was, to Stake down the Popes Spiritual

power, to that ſhort tedder he did out of the Scriptures, and to allow it to go no further there, than any other Foraign Biſhop's. And thus I for my part would never prefer any *Divine* to be my Spiritual *Paſtor*, who claimed my Temporal Eſtate: And, as I think, no Lords of Mannors, who had the right of *Advowſon*, would preſent any one to a Living in their gift, who without Senſe or Reaſon, did ſet up a title to the *Mannor*.

But the very thought of waters not riſing higher than their Springs, might well ſerve to mind *Henry 8th.* and ſome of our former Roman Catholick Princes, that the Power of the Biſhop of *Rome* in Temporals, however

however Claimed by Popes, was not allowed to riſe higher than St. *Peter's*, nor St. *Peter's* higher than his, who ſaid his *Kingdom was not of this World*, and that St. *Peter's* Succeſſor, is not like *Tamberlain*, to tread on the *Heads* of Chriſtians, nor like *Alexander* the Third, to *Tread* on the Neck of an *Emperor* and *Burleſquing* one of King *Davids* Pſalms; *Super aſpidem & baſiliſcum ambulabis, conculcabis leonem & Draconem*; when it may be ſaid, that the Holy *Jeſus* did tread ſo gently in his paſſage through the World, that if he had trod on a *bruiſed* Reed, he would not have *broke* it, or if on *ſmoking* Flax, he would not have quenched it.

A Man cannot throughly

Write of the Old *Papal* Uſurpations here, without being as voluminous as Mr. *Prynne*; and our *Statute-Book* doth ſufficiently inſtruct us out of *Hen. 8th's* Reign, and former ones in the *Fact* of the *Papal* Arrogance, and in the *Fact* and *Right* of their being withſtood. But I need not tell you of the common Obſervation, that thoſe Statutes in *Henry 8th's* time, that were moſt warm againſt the *Papal* Uſurpations, were but Declarative of our old Laws and Cuſtoms; and as for example, the *dernier Reſſort*, that the *Cannon* Law gives the Pope, of *Appeals* from our Eccleſiaſtical Courts, was an Uſurpation, long before the *Statute* of *Henry* the *8th's.* time for prohibiting

hibiting all Appeals out of *England*, to the Court of *Rome*: And thus the Conſtitutions at *Clarendon*, plainly ſpeak out, how our Old Laws and Cuſtoms were to be obſerved in this point, *viz.* That all *Appeals* muſt proceed regularly from the *Arch Deacon* to the *Biſhop*, from the *Biſhop*, to the *Arch-Biſhop*; and if the Arch-Biſhop failed to do Juſtice, the laſt Complaint muſt be to the *King*, to give Order for Redreſs (*i e.*) by proper *delegates*: and *Mathew Paris*, *A.* 1164. thus tells us, that in the Reign of *Henry* the Second, the Cuſtom then about *Appeals* was, viz. *Si emerſerint ab Archidiacono, debet procedi ad Epiſcopum, ab Epiſcopo ad Archiepiſcopum & ſi Archiepiſcopus defuerit*

fuerit in juſtitiâ exhibendâ, ad Dominum Regem perveniendum eſt poſtremo, ipſius in Curiâ Archiepiſcopi controverſia terminetur, ita quod non debet ultrà procedi abſque aſſenſu Domini Regis.

But as to the *Ridiculouſneſs* of the Papal Uſurpations by the Canon Law, giving the *Pope* a power to receive *Appeals* from the Dominions of Soveraign Princes and States, *Maſtertius* in his Book *de juſtitiâ Legum Romanarum* in the *Summaries* of his 20*th*. *Chapter*, ſets it down, That,

1. *Ridetur Pontifex ab ipſâ Romanâ Curiâ.*

2. *Credentes Conſtitutioni Pontificis, a Regibus, liberiſque populis læſæ Majeſtatis damnantur.*

3. *Iterum diſſentit a Pontifice Romana Curia.* 4.

4. *Mira pontificis cæcitas notatur :*

5. *Intellectus L. à proconſulibus 19 Cod de appellat.*

6. *Jus Canonicum malè damnat in expenſas tantum appellantem perperam.*

Under which he ſaith, *Infelix fuit Romanus Præſul in Cap. 7. Cap. de priore. 31. Cap. Ad audientiam, 34. Cap. dilecti. 52. --- Ext. de appellat. quibus conſtituit adverſus L. Imper. in princip. D. de appellat. licere pulſatæ parti, relictis medijs, pontificalem cognitionem invocare, nam ipſa Romana Curia id Juris, tanquam omnem bonum ordinem invertens & ex merâ diſſentiendi libidine promanans, explosit ; neque procedit Canoniſtarum gloſſema, quo videtur id conſtituiſſe pontifex, ob ſpecialem ſuæ ſedis*

ſedis prærogativam quâ fidelium omnium competens eſt Judex, Cap. ſi duobus. 7. & ibi D. D. ext. de appellat. Concil. Trident. ſeſs. 24. Cap. 20. de reformat. Nam cum id falſum ſit, totius Chriſtiani Orbis Reges liberiq; populi, læſæ Majeſtatis reos agunt, qui vel immediatè, vel ab ipſorum ſententiâ ad pontificem præſumunt appellare.

Eodem candore defert appellationi rei minimæ, iterum reluctante Romanâ Curiâ & requirente ut litis æſtimatio ſit ut minimum coronatorum decem. Præſec. in praxi Epiſcop. p. 2. Cap. 4. Art. 15. N. 8. Mechlinenſi 50. Flor. D. Zypæus de Jure Pontif. novo. tit. de appellat. N. 8. Mihi videtur quod pontifex de induſtria ſe voluerit riſui propinare, nam hic defert appellationi

pellationi rei minimæ, ſuprà relictis mediis implorationi Pontificialis auditorij, evocando Belgam aut Anglum in Cauſâ aliquorum obolorum, ad urbem Romanam experiundi ſui Juris gratiâ.

But there is another uſe we may now well make of the *publication* of this *Reſcript* of the *Univerſity* of *Oxon*; and that is to obſerve how *awkwardly* and *unſeaſonably* the Author of *The Papiſt Miſrepreſented, and Repreſented*, hath thought fit to Repreſent the *Pope* as now deducing a Claim to a Higher Power here by the *Word* of *God*, than what our Roman-Catholick Univerſities allowed him in *Henry* the 8*th's* time. For in his 18*th. Chapter*, he tells us, 'That the Papiſt believes, that there

'there is a Paſtor, Governor, and 'Head of Chriſts Church under 'Chriſt, to wit the *Pope*, or *Bi-'ſhop* of *Rome*, who is the Suc-'ceſſor of St. *Peter*, to whom 'Chriſt committed the Care of 'his Flock, *&c.* and now be-'lieving the Pope to enjoy 'his Dignity, he looks on him-'ſelf obliged to ſhew him the 'Reſpect, Submiſſion and Obe-'dience which is due to his 'place. *And afterward*, in this 'manner is he ready to behave 'himſelf towards his *CHIEF 'PASTOR*, with all Reverence 'and Submiſſion, never ſcru-'pling to receive his Decrees 'and Definitions, ſuch as are 'iſſued forth by his Authority, 'with all their due Circumſtan-'ces, and according to Law, in

'the

'the concern of the whole 'Flock,

His *Anſwerer* doth well reply to him in that point, and with a Candour ſuitable to the *Pacifick* State of the *Realm* you have predicted, under any *Prince* of the *Roman Catholick* Communion; ſay, *viz.* 'How doth it 'appear that Chriſt ever made 'St. *Peter* Head of the Church, 'or committed his Flock to 'him, in contradiſtinction to 'the Reſt of the Apoſtles? This 'is ſo far from being evident 'by Scripture, that the Learned 'Men of their Church, are aſha-'med of the places commonly 'produced for it, *&c. And af-'terward ſaith,* 'We need not in-'ſiſt on the Proof of this, ſince 'the late mentioned Authors of 'the

'the Roman Communion, have
'taken ſo great pains not only
'to prove the *Popes* Supremacy
'to be an Encroachment and
'Uſurpation in the Church; but
'that the laying it aſide, is ne-
'ceſſary to the Peace and Unity
'of it. And until the Divine
'Inſtitution of the Papal Su-
'premacy be proved, it is to no
'purpoſe to debate what man-
'ner of Aſſiſtance is promiſed
'to the Pope in his Decrees.

It was (I think) an under-taking, that none but a very Sanguine Man, could ſuppoſe feſable to engage us to believe in this Age, that the *Pope* was by *Divine* Right, *Head of our* Church under Chriſt. I ſay in this Age, ſo generally Learned, and when a *Layman* furniſhed

but

but with an ordinary Library, can ſhew that the Churches of the *Britiſh* Iſlands, *England, Scotland and Ireland* (as my Lord Primate *Bramhal* ſhews in *Chap.* 5. of his *Juſt Vindication of the Church of* England,) *by the Conſtitution of the Apoſtles, and by the Solemn Sentence of the Catholick Church, are exempted from all Foreign Juriſdiction, and that if* it be objected, that the Biſhop of *Rome* was ever our *Patriarch*, that all *Patriarchal* Juriſdiction is of *Human* Inſtitution; and by the *Statute* of 35 C. 1. it was declared, that *the Holy Church of* England, *was founded in the State of PRELACY* (not of Papacy) *within the Realm of Eng.* (not without it) *by the Kings and Peers thereof* (not

by the *Popes*) and when in the time of our late Civil Wars, the *Presbyterian* and *Independent* Divines had by their Claims of *Jus Divinum* for their *Models* of Church-Government, so much exercised the understanding of the People in general, that at the time of his late *Majesties* Restoration, restoring to our *Church* the best Constituted Government in the World, many of our *Virtuosi* and *Latitudinarians* could not be brought expresly to own its excellence, on an Universal *Jus Divinum præceptivum*, and would say, that in any Church Government that by *Divine* Right would bind all Churches, there must be not only *praxis*; but *institutio apostolica*:

The

The Pryers into the *Rabbinical* Learning of the *Jews*, have not been forced more to obſerve their Criticiſing on the *Divinity* of the *Fire*, which burn'd the Sacrifices on the Brazen Altar, as coming from *Heaven*, both when the Tabernacle was erected, and when the *Temple* was built, and making the *fire* in the firſt Temple, to be *Divino-Divinus*, altogether Holy, and the *fire* in the ſecond Temple, to be *Divino-Humanus*, Human Holy, as being kindled as our fire, though ſtill kept in, as the fire of the firſt Temple was; and the third *fire* that *Nadab* and *Abihu* offered to be *Humanus*, and likewiſe called by them *alienus*, as ſtrange fire; then the Readers of the late Contro-

vertists of the *Jus Divinum* of ſeveral *Forms* of Church-Government among us, have been forced to take notice of their nicety in diſtinguiſhing it. And now after the *Biſhop* of *Rome* had before *Henry* the 8*th*'s time made the figure of the fire, *Divino Humanus*, and whoſe *Authority was then Extinguiſhed* (for ſo the Style runs of the *Act* of *Parliament* I mentioned of 28 of *H.* 8*th.* viz. *An Act for Extinguiſhing the Authority of the Biſhop of* Rome and as to whoſe Authority we are told by *More*, 463. *that all the power of the Pope, was not by the* 25 *of* H. 8th. *given to the King, but was extinct*; in Holywells *Caſe*;) for any Writers without the Heat and Light of much

much clear Learned Argumentation, to rekindle that extinguiſhed *ignis alienus*: a ſtrange fire of *Foreign* power in our Beliefs, will, (I may modeſtly ſay) be a ſtrange Attempt, and not to be Effected by any Rhetorical Repreſenter.

But here I cannot forbear obſerving, that the Author of the *Papiſt Miſrepreſented*, &c. doth in his Reflections upon the *Anſwer* to his *Book* in *p.* 13. refering to Dr. *Hickes* his *Jovian*, call him a *Worthy Divine*, and Cite him for ſaying, that *in Caſe a Popiſh* Julian *indeed, ſhould Reign over us, he ſhould believe him uncapable of Repentance, and upon that Suppoſition, ſhould be tempted to pray for his Deſtruction*; and then in ſeeming Cha-

rity to the *Church* of *England* deny that, becauſe the *Doctor* uſed thoſe Words, *it is honeſt hence to blacken the Church of* England, *with this Diſloyal Principle, as if ſhe allowed her Members, though not to fight againſt, yet to pray for the Deſtruction of ſuch a Prince.*

The *Doctor*, whoſe great Learning and Pains taken in doing right to the *Succeſſion* you have ſo particularly Repreſented in your *Preface*, and whereupon if we reflect on the little or nothing, *ex profeſſo*, writ by any Romaniſts againſt the *Excluſion*, it will be no Complement to ſay that, *he hath therein laboured more abundantly than THEY all*, might if it had pleaſed this *Repreſenter*, have been deſervedly

referred

referred to by him, with a higher Character. And if in any expreſſions warmer than ordinary againſt the principles of *Popery*, he had erred by any little Tranſports in any of his Books, he ſufficiently Merited from any Roman Catholick Criticks, their mildeſt Repreſentation of them: And it had been but Juſtice in the *Repreſenter*, to have *Cited* the former part of the *Doctors* Sentence, viz. *and if it ſhould pleaſe God to plague the Church with ſuch a Spightful Enemy of Chriſt, &c.* And if he had done ſo, it would have invited the *Reader* to look back to what the *Doctor* had written, from the 140*th page*, to the paſſage which he Cites, and then his Reflection would

have come to nothing.

By what I have heard of the *Doctors* Loyalty, I believe him to be one who with *Effectual Fervent Prayers*, doth Importune Heaven, for his *Majesties* long and prosperous Reign; and doth his Duty of *praising* God for his *Majesties* being so far a *Nursing Father* to the Church of *England*; And I have that opinion of the largeness of his Christian Charity and Justice, that he is ready to retaliate with the *Representer*, in not *blackning* the whole *Church* of *Rome*, with the *principles* lately held by some *Jesuits* and others *Casuists* referred to in the *Popes* Decree of *March 2d.* 1679. in §. 13, 14, 15. by the 1*st* of which, it is rendred *no Mortal Sin, to be troubled for*

the

the Life of another, ſo it be done with due Moderaton, and by the *ſecond,* it is made *Lawful to deſire the Death of ones Father, by an abſolute deſire,* and by the 3*d.* Lawful for a *Son to rejoyce at the ſame, and perpetrated by a Son in Drunkenneſs.*

I ſuppoſe you could not but take notice how that Anſwerer of *the Papiſt Miſ-repreſented, &c.* reflects on the unlucky inſtance there in *Caiaphas,* and ſaying *was not* Caiaphas *himſelf the Man, who propoſed the taking away the Life of Chriſt at that time? was he aſſiſted in that Councel? Did not he determine afterward Chriſt to be guilty of Blaſphemy, and therefore worthy of Death?*

For you have well obſerved the ill *Luck,* that the Famous

Hoſius

Hosius (as he is called by you) had in this case of *Caiaphas*, as to which Dr. *Crackanthorp* exclaims against *Hosius*, *O Hominem Sacrilegum ac Blasphemum! Illene reus Mortis, qui innocens & innoxius vitam dedit? An & Blasphemus etiam! Ea judicij pars.*

You may in Bishop *Jewels* Apology, find this *blot* of *Hosius* hit, where speaking of the Pope, *p.* 151, 152. of the *London* Edition, in the year 1581. he saith, *Petrus quidem á Soto, & ejus astipulator HOSIUS, nihil dubitant affirmare concilium illud ipsum, in quo Christus Jesus adjudicatus est morti, habuisse spiritum propheticum, spiritum sanctum, spiritum veritatis: Nec falsum aut vanum fuisse, quod Episcopi illi dixerunt:* Nos habemus Legem,

gem, & ſecundum legem debet mori, *illos judicaſſe* (Sic enim ſcribit *HOSIVS*) *judicij veritatem: omninóque juſtum fuiſſe illud decretum, quo ab illis pronunciatum eſt, Chriſtum dignum eſſe qui moreretur. Mirum verò eſt non poſſe iſtos pro ſe dicere, & propugnare cauſam ſuam, niſi unâ etiam* Annæ Cajaphæq; *patrocinentur. Nam qui illud ipſum concilium, in quo filius Dei ad crucem ignominioſiſſime condemnatus eſt, legitimum dicent fuiſſe ac probum; quod tandem illi concilium decernent eſſe vitioſum? Tamen qualia ſunt iſtorum concilia ferè omnia neceſſe illis fuit, ut iſta de* Cajaphæ Annæque *concilio pronunciarent*, &c. He there had *Cited* in the Margin *Hoſius contra Brentium.* lib. 2.

But

But if ſo great a *Divine* as *Hoſius*, who was a *Polonian* Biſhop, and *Cardinal* of *Rome*, and one of the Popes *Legates* in the *Councel* of *Trent*, did thus err in this point; the miſtake of an other therein, who was of an inferior Character, is not to be much wondered at.

However, as I am an *Honourer of Learned Men*, I Derogate not from the Talents of Wit and Learning, ſhewn in his Book; and do ſuppoſe that ſomewhat of the *Moderation* he ſhews therein, may be attributed to the Candour of that *Church* he was firſt Educated in: And am ſorry that he ſhould find any Cauſe in his *Papiſt Miſrepreſented*, Chapter 31. Of wicked 'Principles and Practices, *to ſay*, 'take

'take but a view of the Horrid 'practices, She (*i. e. the Church of Rome*) 'hath been engaged 'in of late years, consider the '*French and Irish* Massacres, the 'Murder of *Hen.* the *3d.* and '*4th.* Kings of *France*, the Holy 'League, the *Gunpowder Trea-'son*, the Cruelty of Queen *Ma-'ry*, the Firing of *London*, the 'late *Plot* in the year 1678. to 'Subvert the Government, and 'destroy his Majesty, the Death 'of Sir *Edmund Godfrey*, &c. 'And then tell me whether 'that Church which hath been 'the Author and Promoter of 'such Barbarous Designs, ought 'to be esteemed Holy, *&c.* and 'let never so many pretences be 'made, yet 'tis evident, that all 'these Execrable practices have

'been

'been done according to the 'known *Principles* of this Holy '*Church*; and that her greateſt 'Patrons, the moſt Learned of 'her *Divines*, her moſt Emi-'nent *Biſhops*, her Prelates, Car-'dinals, and even the *Popes* 'themſelves, have been the chief 'Managers of theſe Helliſh 'Contrivances; and what more 'convincing Argument, that 'they are well approved, and 'conform to the Religion 'taught by their Church? *And as to which in his* Papiſt Repre-ſented, *he fairly ſaith*, 'Neither 'let any one pretend to De-'monſtrate the Faith and Prin-'ciples of the Papiſts, by the 'Works of every Divine in 'that Communion, or by the 'Acts of every Biſhop, Cardi-'nall

'nall or Pope; for they extend 'not their Faith beyond the 'Declaration of General Coun-'cils, and ſtanding faſt to theſe. *He had before ſaid there, againſt what was mentioned in the* Papiſt Miſ repreſented, *about* firing *of London*, the *Late Plot in the* year 78, *&c.* And though he is 'not bound to believe all to be 'Truth, that is charged upon 'them by Adverſaries, there 'being no *NARRATIVE* 'of any of theſe Diveliſh Con-'trivances and *Practices* laid 'to them, wherein Paſſion and 'Fury have not made great ad-'ditions, wherein things dubi-'ous, are not improved into 'certainty, Suſpicious into Re-'alities; Fears and Jealouſies, 'into Subſtantial Plots; and

'down-

'downright Lyes, and Recor-
'ded Perjuries, into Pulpit, nay,
'Goſpel Truth; yet he really
'thinks, there have been Men
'of his profeſſion of every rank
'and degree, *&c.* that have
'been Scandalous in their lives,
'*&c.* But what then, is the
'whole Church to be Condem-
'ned, for the Vicious Lives of
'ſome of her profeſſors? *&c.*
And in the Concluſion, he ſaith,
'Theſe are the Characters of
'the Papiſt, as he is Miſ-repre-
'ſented, and as he is Repreſen-
'ted: And as different, as the
'one is from the other; So dif-
'ferent is the Papiſt, as reputed
'by his Maligners, from the Pa-
'piſt, as to what he is in him-
'ſelf. The one is ſo abſurd
'and monſtrous, that 'tis im-
'poſſible

'poſſible for any one to be of 'that Profeſſion, without firſt 'laying by all thoughts of 'Chriſtianity and Reaſon. The 'other is juſt Contradictory 'to this, and without any fur-'ther Apology, may be expo-'ſed to the peruſal of all pru-'dent and unpaſſionate conſi-'derers to examine, if there 'be any thing in it that deſer-'veth the Hatred of any Chri-'ſtian, and if it be not in every 'point, wholly conform to the 'Doctrine of Chriſt, and not 'in the leaſt contrary to Rea-'ſon.

I will readily accord with him, that *Delictum perſonæ non debet ad eccleſiæ detrimentum trahi*: And do therefore ſuppoſe, that he likewiſe will not

charge the *Conſtitution* of the *Church* of *England*, with any imperfections; becauſe many of its Members have *Miſ-repreſented* or Calumniated any *Papiſt*. Nor hath any one a greater Compaſſion, then my ſelf, for ſuch Innocent and Loyal *Papiſts*, as have in the late *Fermentation*, been aſperſed with the *Shammes* in *Narratives*.

Any one may eaſily Judge me not untaught, as to the Moral *Offices* of ſuch *Compaſſion*, from the Meaſures of, *Non Ignara Mali*, *&c.* I never in the *Conjuncture*, when we were ſo much *deafned* with the *Noiſe* of *Narratives*, thought otherwiſe of them, than as being partly like the River *Euphrates*, according to the known *Deſcription* of

of it, in that *Hymne* of *Callimachus*.

τὰ πολλὰ
Ἀσσυρίου ποταμοῖο μεγας ῥόος, ἀλλὰ
Λήματα γῆς καὶ πολλὸν ἐφ ὕδατι σύρφετον
ἕλκει.

(agmine fluctus,
Assyrius fluvius volvit magno
Et trahit Illuviem, Multasq; hinc
(indeq; sordes.

The *Recorded* Infamous *Person*, who in his *Affidavit* that made so much *noise*, and threw so much *Dirt* on me (and who by being so *presumptuous* therein, as to Reproach his *Majesty*, with things that no Man of *Sense* could believe, thought to eternize his Name like him, who burn'd the *Temple* at *Ephe-*

ſus) hath Miſſed of that *Aim*, as far as in me lay, and ſo ſhall: And I think you have done well, in not naming the Profligate. But it having pleaſed God to permit him, while he was under the Courſe of his due puniſhment, and under the protection of the Law, to fall by the Hand of an Aſſaſſinate, (and at whoſe Hand, his *Majeſty* required his Blood) that Signal inſtance of the Juſtice, inherent in his *Majeſties* Nature, hath ſufficiently encouraged all his *Liege* People, to think themſelves ſafe by his being a *Terror* to *Evil Doers*, and not *bearing the Sword in vain*: According to the *Moral* Offices you have ſo well deſcribed, of *not Condemning whole parties, merely on the account of*

the

the immoral Actions of particular Members of them; I however blame not any Religionary *Cætus* that either the *profligate*, or *aſſaſſin* referred to for their reſpective Outrages, did *herd* with. And as the Author of *the Papiſt Miſ-repreſented*, &c. is very fairly deſirous, that we ſhould take our meaſures of the *Church* of *Rome*, from the *Principles* approved by it, I ſhall herein Comply with him. But here muſt ſay, that I am ſorry to find that the *Author* is in a *Church*, where the *DEPOSING Power*, is ſo much as *DELIBERATED*: For as you have well cited it out of two Heathen Authors, *Dum deliberant, deſciverunt*; And, *Ea deliberanda omnino non ſunt in quibus eſt*

turpis ipſa deliberatio. And I am glad, that in his 26*th. Chap.* viz. *of Mental Reſervation*, he was enabled to cite the preſent Pope's *Decree*, of the 2*d.* of *March* 1679. for the Damning of the Doctrine of *Equivocation* of *Oaths*: And among the many *Principles* of the *Jeſuits* and other *Caſuiſts*, which may come under your *Denomination* of *irreligionary* ones, that *Sicarious* one, as you properly call it, *viz. It is lawful for a Perſon of Honour to kill a* Man, *that intends to Calumniate him, if there is no other way to avoid that Reproach*; was in that *Decree*, very juſtly Condemn'd: And but for that *Principle*, having till its *Condemnation* been *approved* in the Church of *Rome*; there could be

be no more juſt cauſe to charge any Papiſt, except the Actors, with the Blood of *Godfrey*, than there was to caſt the *odium* of the Execrable Murder of the *Arch-Biſhop* of St. *Andrews*, on any of the Presbyterians, except the Ruffianly *Actors*.

And as to the caſe of *Godfrey*, I remember you told me, *that ſince your warm aggravations about it in your* DISCOURSE, *you were a colder Concurrer with the Juſtice of the Nation therein, and that you, thought there was ſtill ſomwhat of the* Intervallum ἄδηλον, *uncertain, or* μυθῶδες, *fabulous, in the caſe of his* Death.

And as to what the *Author* ſpeaks of *Papiſts*, being *Miſrepreſented*, with relation to *the late Plot*, in the *year* 1678. *To*

Subvert the Government, and deſtroy his Majeſty: I who in the *Conjuncture* of the μεγας &c. made ſo *little* about it, ſhall not now make any at all. What I have read in a Pacificatory *Diſcourſe*, of a Pious *Divine*, publiſhed in the *year* 1653. where ſpeaking of a Spirit of *Jealouſie*, and of *envy*, *ſtrife*, *Railings*, *and Evil Surmiſings*, and having *quoted* 1. *Tim.* 6. 4. and *that Strife and evil ſurmiſings, are near of kinne; and that if Contentious Men can get nothing againſt their Brethren, they will ſurmiſe there is ſomething, and if they can find nothing in their Actions to Judge, they will Judge their Hearts: If there be nothing above-board, they will think there may be ſomething under-board; and*

from

from thinking there MAY BE *ſomething; they will think it is very* LIKELY *there is ſomething; and from* LIKELY THERE IS, *they will conclude* THERE IS, *ſurely there is ſome* PLOT *working*; hath ſtill ſince inclined me to be *cautious*, how in my moſt private thoughts I charged any Men, and eſpecially, any great Bodies of Men, with PLOTS:

And I think the *Author* of *the Papiſt Miſ-repreſented*, &c. will find enough Proteſtants as ready as you and my ſelf, to avoid troubling them with the *Witneſſes* Plot.

But ſince the *Author* hath in this *caſe*, thought fit to *invite* us to a *view* of the *Principles* APPROVED, and *Conform to the Religion taught by his Church*, I ſhall,

ſhall, reflecting on the *Principles* approved by ſo many in that *Church*, tell him, I cannot but Judge them ſhort of that *unconditional* Loyalty, you have ſo clearly *aſſerted* in your *Diſcuſſion*; and ſhall judge, as the *L. Falkland* the *Secretary* did, in the *Letter* to Mr. *Mountague* I before referred to, where his *Lordſhip* on Mr. *Mountagues* making *POPERY the way to Obedience*, having had theſe words, viz. 'I cannot but ſay, 'that though no *Tenet* of their 'whole Church (which I know) 'makes at all againſt it; yet 'there are prevailing opinions 'of that ſide, which are 'not fit to make good Subjects, 'when their Kings and they are 'of different perſwaſions; *and having*

having quoted D' Oſſat, for ſaying, 'that it is the *Spaniards* 'Maxim, that Faith is not to be 'kept with Hereticks, and more, 'that the Pope intimated as 'much in a Diſcourſe, intended to perſwade the King of '*France* to forſake the Queen of '*England*; and that they hold 'at *Rome*, that the Pope to avoid 'a probable Danger of the encreaſing of Hereſy, may take 'away a Territory from the 'true owner, and diſpoſe of it 'to another; and many alſo 'defend, that he hath power 'to Depoſe an Heretical Prince, 'and of Hereſy, he makes himſelf the Judge: *His Lordſhip with a profound Charity and Judgment, thus goeth on, viz.* 'So that 'though I had rather my 'Tongue

'Tongue ſhould cleave to the 'Roof of my Mouth, than that 'I ſhould deny that a Papiſt 'may be a good Subject, even 'to a King whom he accounts 'an Heretick; ſince I verily be-'lieve, that I my ſelf know very 'many very good: Yet Popery 'is like to an ill Air, wherein, 'though many keep their 'Healths, yet many are Infect-'ed, (ſo that at moſt, they are 'good Subjects; but during 'the Popes pleaſure) and the 'reſt are in more danger, than 'if they were out of it.

Moreover, as to the *firing* of *London*; which the *Author* referreth to, in his *Papiſt Miſrepreſented*, as well as the *Death* of *Godfrey*, I was always as careful as you were, to charge

no

no more Papiſts with the *Odium* of it, than ſuch as the Juſtice of the Nation Criminated therewith. Moreover, if any one will have it, that *Hubert* and *Teidelow* were not *Papiſts*, I ſhall not account it *tanti*, to contend with him about it, and as you told me lately, that you would not I remember when we were long ſince Diſcourſing of that *fire*, you ſhewed me a *Book* of *Vigelius* a *Civilian*, who *treating*, *de præſumptionibus quæſtionum facti*, laid it down as a particular Rule, *viz*. *Si de cauſâ incendij quæritur, culpâ inhabitantium præſumitur factum*, and ſaith, *quæ regula approbatur* l. 3. §. 31. *ff de officio præfecti vigilum*, *ubi Paulus plerumque* (*inquit*) *incendia fiunt culpâ inhabitantium*.

More-

Moreover you once ſhew'd me it repreſented, as a *Rule* in *Magerus* his *Advocatia armata*, that *damnum quod ignoratur à quo provenerit, ab inimico illatum eſſe præſumitur*; which doth partly agree with the *preſumption* of the cauſer of the damage mentioned in the *parable* of the tares, *an enemy, hath done this*: And you have with Candour in the *Papiſts* behalf, in *p.* 180. to ſhew that *the Pope was not the inimicus* Homo, helped them to the *Teſtimony* of an adverſary, I mean of *Marvil*, in his *growth of Popery*.

You have likewiſe done *Juſtice* to the *Papiſts*, in *p.* 181. *Exploding* the great *popular* Argument of *London*, being deſignedly

ſignedly *fired*, by many Popiſh Perſons; becauſe of the *flames* breaking out *at once*, in *ſeveral* places *diſtant* from one another: An *Argument*, that the *Author* of *Pyrotechnica-Loyolana*, printed in *London*, in the *year* 1667. doth in *p.* 130. lay great ſtreſs on, and ſaith, that as at *Cracow* in *Poland* (which he had before accuſed the *Jeſuits* for having fired) *the flames did break out there, in ſeveral places of the City, at the Tops of Houſes, ſo here the fire did break firſt out at the Tops of ſeveral Houſes, which were every way, at a conſiderable diſtance, from the contiguous burning in the main Body*, &c. And therefore on the Account of the thing you mentioned, and which is obvious enough

nough in Nature, a fire firſt cauſed in *London*, or *Cracow*, *culpâ inhabitantium*, might afterward appear, breaking out in ſeveral diſtant places thereof. And I have ſeveral times told you, how I was in the behalf of the *Roman Catholicks*, troubled at the *Votes* of the Houſe of *Commons*, that threw the Guilt of the *fire* of *London*, on *the Papiſts* in general; and likewiſe, at what was ſpoke by an Eminent *Son* of our *Church*, and *Miniſter* of his late *Majeſties*, that at the Condemnation of the Lord *Stafford*, in effect did ſo, for there, as you have truly *ſaid* in *p.* 179. *the Evidence did not riſe High and Clear enough; for the charging any Papiſt with it.* Nor need I now tell you, that I was in the

year

year 79 ſorry to find that a *Pamphlet* againſt *Popery*, that charged the *Papiſts* in general, with the *Fire* of *London*, and with that, particularly of the *Temple*, cauſed by a *Non-Papiſt Debauchè*, who was burn'd in it, was then *Licenced* by a very *Loyal* and Learned Licenſer.

But ſince our Roman-Catholick *Author*, in his *Papiſt Miſrepreſented*, doth partly found the *Miſ-repreſentation*, on theſe execrable *practices* having been done according to the known *Principles* of the *Church* of *Rome*, I ſhall take this occaſion he hath given me, to offer it to him, to conſider how far any known *principle*, founded on the Papal Uſurpations, and approved either *BY* or *IN* that

Church, might have *Legitimated* a practice of the like Nature: As for Example, the Firing of the *Heretical* Villages at the *Maſſacre* of *Merindol*, affirm'd by *Heylin* and *Maimbourg*, and the deſigned one of the *City* of *Weſtminſter*, in the *Gunpowder-Treaſon:* And ſhall leave it to the ingenious *Author* to Recollect, whether any *Divines* or *Divine* of the Church of *England* he withdrew from, and much more whither any of its *Canons*, approved any *principle* of that extravagant Nature.

Whatever Impreſſions it may make on his Thoughts, or thoſe of the *Gentleman* you refer to in *p.* 173. (and there mention with Honour; and, as 'one

'though

'though having forsaken the 'Communion of the Church 'of *England*; yet being a Pi- 'ous and Learned Roman Ca- 'tholick, and of a nice tender- 'ness *of Conscience*, and a lover 'of Truth as such, and whose 'Inquisitiveness in Religion, is 'not at its Journeys end in *Rome*, 'and whom you have found in- 'clined to return to the Church 'of *England*, if the Tenent I 'shewed you, discussed by *Gun- 'dissalvus*, and asserted in the 'gloss and Text of the Canon 'Law, can be charged on the 'Church of *Rome*, as approved 'by it) I know not; but shall here send you a Transcript of the same, and shall first observe, that the *sedes materiæ* for this Tenet, that a whole City may

be burned with fire, if the *Major* part thereof were *Hereticks*, is in the Body of the *Canon* Law, namely in the *Text* of the *Decrets* it ſelf, *Can. ſi audieris* 23 *Cauſ. Q.* 5.

And if any one will conſult the Body of the *Canon* Law, with the *gloſs* and *Caſe* of the Edition at *Turin*, in the *year* 1620, he will find it there as followeth.

SI AUDIERIS. CASUS.

Cyprianus *fuit interrogatus an mali poſt adventum Domini in hunc mundum, morte ſint puniendi*; Et *certe reſpondet quod ſic: quia ſi ante adventum Chriſti hoc fuit; ut probabitur autoritate Deuteronomij & exemplo Matathiæ: Multo fortius poſt adventum Chriſti hoc fieri debet*: *Autoritas durat*

rat a principio uſque. ibi cujus præcepti. Poſtea ſunt verba] *Cypriani.* SI AUDIERIS. *Hæc verba ſumpta ſunt de* Deuterono *uſque ad illum locum* hujus præcepti.

Necabis] *Tu quicunque ſis: Et ſic quandoque ille qui non eſt judex poteſt punire maleficos*, &c.

OMNES QUI. *ſi Ergo aliqui hæretici ſunt in una civitate tota civitas poſſit exuri & ſic eccleſia vel civitas punitur pro delicto perſonarum ut* 25. *q.* 2. ita nos, &c.

NUNC] *id eſt in futurum*, &c.

CUJUS] *hæc ſuntverba* Cypriani.

MATATHIAS] *ut legitur in libro Machabeorum.*

Item Cyprianus lib. de exhortatione Martyrij cap 5.

Principes ſæculi peſſimis parcere non debent. 34.

§ *Si audieris in unâ ex civitatibus quas dominus deus tuus dabit tibi inhabitare illic, dicentes, eamus & ſerviamus dijs alijs quos non noviſti, interficiens necabis omnes qui ſunt in civitate cæde gladij: Et incendes civitatem igni, & erit ſine habitaculo in æternum; non reædificabitur etiam nunc, ut avertatur dominus ab indignatione iræ ſuæ; & dabit miſericordiam tibi & miſeribitur tui & multiplicabit te, ſi exaudieris vocem dom dei tui & obſervaveris præcepta ejus. Cujus præcepti & rigoris memor* Matathias *interfecit eum qui ad aram ſacrificaturus acceſſerat. Quod*

ſi

ſi ante adventum Chriſti circa deum colendum & idola ſpernenda hæc præcepta ſervata ſunt; quanto magis poſt adventum Chriſti ſervanda ſunt, quando ille veniens non tantum verbis nos hortatus eſt, ſed & factis.

To this *place* in the *Canon* Law, *Gundiſſalrus* refers in his Diſcourſe againſt Heretical Pravity; and which I ſhewed you in my Study among the *Tractatus Criminales*, publiſhed by *Franciſcus Maria Paſſerus* at *Venice*, in the *year* 1556. and where in *p.* 158. he hath diſcuſſed the *Tenet* at large, and *ex profeſſo*. 'Tis among thoſe *Criminal* Tractates called *Tractatus contra hæreticam pravitatem per Gundiſſalrum de villa diego Sacri Palatij Apoſtolici*

Auditorem. char. 158. and where it follows thus, *viz.*

Summarium.

1. *Civitas in qua aliqui insunt Hæretici an tota possit igne exuri, aut alias destrui latissimè usque ad quæstionis finem.*

2. *Civitas quando dicatur Hæresim committere ut universe destrui possit.*

3. *Universitate punitâ de Hæresi, an singuli quoque puniti videantur ita ut amplius puniri non possint.*

Quæstio 24.

Vigesimo quartò quæro, an si aliqui Hæretici sunt in unâ civitate, possit tota civitas exuri sive alias destrui, & glo. in c. Si audieris. 23. q. 5. *arguit, quod sic*

per

per illum tex. & videntur ibi velle Joan. & Laur. quod quilibet poſſit hoc facere; ſed in Contrarium inducitur ea q. ſi non licet. ver. quaſdam. & verſi. his igitur & q. 4. ver non ergo & q. ult. quodcunque & quod no. 33. q 1. inter hæc. in 1. glo. Archi. in. c. præſidentes de hære. l. 6. dicit quod Eccleſia concedit generalem authoritatem exterminandi hæreticos 23. q. v. ſi vos, &c. Si audieris. *Quæ non tantum diriguntur principibus. Et facit eadem cauſa q. legi. & de hæretici communicamus. § Catholici. ubi etiam ad eos exterminandos, conceditur* cruce ſignat. *indulgentia ultra-marina; tamen occiſio & ſpoliatio talium, tutum eſt quod fiat ex edicto principis aut Eccleſiæ c. cum. ſecundum leges eo. titu. lib. 6. ne ex cupiditate*

ditate vel ultione potius quam ex juſtitia vel obedientia pugnare videantur. 23. *q.* 1. *quid culpatur & q.* 11. *c.* 1. *&* *q.* 111. *Sex differentia. quod etiam tenuit in ſumma. eo. titu. verſic: Sed nunquid, & Goffr. in ſumma. eo. titu.* §. *ſed nunquid Catholici &* Hoſtien. *in ſumma. eo. titu. qualiter evitentur.* verſ. *ſed nunquid Catholici. idem ſequitur* Joan. And *in novel. in d. c. præſidentes. & domi. qui ſubjungit oportere neceſſario præcedere judicis declarationem ſuper crimine hæreſis ad hoc ut iſta executio fieret, per d. c. cum ſecundum leges.*

Sed iſta videntur mihi cum ſupputatione nimis crudè & indigeſtè dicta, & in tantâ queſtione ubi de tantorum periculo agitur, & præſertim ubi innocentes pro nocentibus proiiiuntur, gravius & profundius ſcribendum, & cu-

lamus

lanus magis temperandus fuiſſet; quapropter ego dicerem quod etiam ſi aliqui de civitate ſint Hæretici, dummodo civitas ipſa hæreſim non incurrerit, adeo quod delictum iſtud univerſitati civitatis aſcribi poſſit, non propterea civitas poſſit uxuri aut alias deſtrui. Nullo enim jure hoc reperitur cautum, omnia jura clamant in contrarium, ſcilicet quod peccata ſuos debent tenere Authores. C. de pæ. ſancimus. de his quæ fiunt a Majori parte. c. quæſivit.

Ad jura quæ in contrarium inducuntur ſtat reſponſio ad C. ſi audieris. per quod glo. præfata ſe fundat, dici poteſt multipliciter. Primo quod illud erat præceptum legis veteris, & judiciale, ut patet clare, nam habetur originaliter Deutero. 13. & talia in lege novâ ceſſaverunt, niſi de novo fuiſſent inſtituta, nec legitur nova inſtitutio. Nam Cyprianus cui inſcribitur ille tex. in

decretis

decretis non habuit facultatem jura generalia concedendi, cum non fuerit Ro. Ponti. eo. Maxime ubi de incendio, & morte inferendis disponitur, ut patet in illo tex. quæ pœnæ ab ecclesiâ non imponantur ne cleri. vel mona. sententiam sanguinis, & eo. ti. eo. lib. & de excess. prælatorum ex literis; vel aliter dicas quod ille tex. non loquitur de hæreticis. sed de idolatris, & ista crimina sunt diversa, ut ex superioribus patet. Aliter etiam potest dici quod loquitur, quando omnes de civitate inficerentur illo crimine & si non omnes; illud tamen tempore illo licite fiebat, stante præcepto Dei qui Dominus est vitæ & mortis, pro quo bonus tex. in d. c. si non licet, & in c. gaudemus de divor. ubi de homicidio Sansonis fit mentio.

Ad alia vero jura quæ inducit Archidia. videlicet c. legi, respondetur quod

quod Authoritate dei illa facta fuerunt qui interius Authoritatem occidendi inspirabat, ut in d. c. si non licet. ad c. vos. dicendum est quod loquitur quum Authoritate judicis illa fiunt, ut patet in fine ejusdem tex. ubi dicit diligentissimi rectores, &c. ad c. excommunicamus. § Catholici. dicas quod intelligitur quum in casu licito bellum contra eos moveretur & accedente Authoritate superioris qui hanc concedere posset; alias autem sequeretur absurdum, quod pro actu illicito, & reprobato Papa concederet indulgentias quæ tantum pro opere Charitatis sunt indulgendæ. juxta no. per Doctores c. qd; autem de pœnis, remissionibus, Pro quo est tex. eo. tit. cum ex eodem tenet S. Tho. 4. sententiarum distin. 20. Stabit in hoc conclusio quod si civitas labatur in hæresim, tunc demum possit exuri, & destrui & non aliter. Hanc sententiam firmat Bar.

in

in l. aut facta. § Nonunquam. F. F. de pæn. in crimine hæresis, & in crimine læsæ Majestatis, & alias ubicunq; filius punitur propter delictum patris, & sic fuit factum de Carthagine, *quæ propter* Rebellionem *passa est aratrum, ut ff. quibus med. usufruct. amit. l. si ususfructus. Dicit etiam se vidisse sententiam definitivam imperatoris* Henrici *quam dedit contra civitatem* Brixiæ *quæ fuit sibi* Rebellis *in quâ dicebat illam civitatem esse subjiciendam aratro, quam pœnam postea ex Misericordiâ relaxavit, quæ sententia definitiva est lex ut l. ij ff. de lege & in l. fi. C. eo & de re judica. c. in causis, et ita fecit Papa Bonifacius qui propter delicta quorundam* Templariorum *totam ordinem eorum destruxit, quia erant* Heretici.

Hanc autem sententiam nullus inferior a principe ferre poterit, nec sine prin-

principis authoritate hoc fieri poteſt ſecundum quod latè proſequitur Bart. in extravagan. quoniam. et idem ſenſit uno verbo. Sal. in l. 1. c. de ſed in fine.

Sed quum dicemus civitatem committere hæreſim, ut modo præmiſſo puniatur? dicas quod ſi omnes eſſent hæretici, vel major pars, ut in l. quod major. ff. admunicipa. et hoc tenet Bar. in d. extravagant. quum in ſimili materia, et requiritur quod conveniant, ut univerſitas ad hoc faciendum, utpote communicato conſilio, alias dicerentur ſingulifacere, et non univerſitas juxta nota per glo. l. ſed ſi ex dolo. §. 1. ff. de dolo. et l. aliud. § refertur. ff. de Reg. jur. neq; per hoc credas quod pœna corporali puniantur innocentes pro nocentibus quod manifeſte patet per ea quo Bar. no. in d. § Nonunqnam. et Saly. in d. l. 1. C. de ſeditiſ.

Sed

Sed juxta prædicta quæro an punita universitate de Hæresi modo præmisso censeantur singulares puniti ad hoc, ut amplius puniri nequeant. Ad hoc respondeo quod singulares non eo minus puniri poterunt si culpabiles in hoc delicto reperiantur, quia q l; debet universitas non debent singuli, et é contra. ff. quod cujusque univer. l. sicut. § 1. ff. de Reg. jur. aliud § refert. facit. ff. quod vi aut clam. l. semper § si in Sedulchro. Ad hanc decisionem, faciunt no. per Joan. Mo. et Jo. And. in c. felicis. de pen. li. 6. in fi. et per Bart. in d. l. aut facta § nonnunquam.

Without troubling my self to make a formal Translation of this place, of *Gundissalvus*; I shall for the benefit of Common Readers, set down the Substance of it in *English*, omitting the References

to

to moſt of the *quotations* out of Lawyers, which to the unlearned in the Laws, might ſeem uncouth, and which the Learned may Conſult as they pleaſe in the Latin Tranſcript, *viz.*

The Summary or Contents.

1. 'Whether a whole City 'may be Burn'd with fire, or 'otherwiſe deſtroyed, in which 'are ſome Hereticks? This is 'diſcuſſed at large, to the end of 'the queſtion.

2. 'When a City may be 'ſaid to be guilty of Hereſie, 'ſo that it may be wholly de-'ſtroy'd?

3. 'The Community being 'puniſhed for Hereſie, whether 'every particular Perſon, may 'ſeem to be ſo puniſhed, as that

'he may not be liable to any
'further puniſhment?

Queſtion the 24th.

'In the 24*th.* place, I en-
'quire whether a whole City
'may be burn'd, or otherwiſe
'deſtroyed, in which are ſome
'Hereticks? And the gloſs on
'the Canon, *Si audieris*, argues,
'that 'tis ſo by the Text. And
'*Johannes* & *Laurentius*,
'ſeem to be of opinion that
'any Perſon whatſoever, may
'do it. But other Authorities
'are brought for the contrary,
'*&c.* And *Archidiaconus* ſaith,
'that the Church doth grant
'the general power of Exter-
'minating Hereticks. And by
'the Authorities Cited, the pow-
'er

'er for ſo doing, is not only 'directed to Princes: And likewiſe, the Indulgence is granted to the *Cruce ſignati*, for the 'exterminating Hereticks: But 'as to the killing and deſpoiling of ſuch, it is ſafe, that it 'be done by the Edict of the 'Prince, or the Church: Leſt 'any ſhould ſeem to fight rather out of Luſt or Revenge, 'than out of Juſtice or Obedience, the which *Raynerius* doth 'alſo aſſert, and likewiſe *Goſfredus* and *Hoſtienſis*. *Johannes Andreas*, goes in the ſame 'Track, who ſubjoyns, that the 'Declaration of a Judg on the 'Crime of Hereſie, ought neceſſarily to precede to the effect, that execution be ſo 'done. But thoſe things ſeem

'to me(under favour)to be too
'crudely and indigeſtly ſpo-
'ken: And in ſo great a que-
'ſtion, where the danger of
'ſo many is treated of, and eſ-
'pecially, where the innocent
'are puniſhed for the guilty,
'the Subject is to be Writ of
'more gravely, and more pro-
'foundly; and ones pen was
'to have been more temper'd.
'Wherefore I would ſay, that
'though ſome of a City are
'Hereticks, yet while the City
'it ſelf hath not incurr'd the
'guilt of Hereſie, and ſo that
'that Crime cannot be aſcribed
'to the Body of the City, it may
'not therefore be burn'd, or
'otherwiſe deſtroyed; For this
'is not found ordered by any
'Law. Nay, the Laws are evi-

dent

'dent to the contrary; Name-
'ly, that Sins ought only to
'reach to their Authors.

'To the Laws that are
'brought to the contrary, the
'Anſwer is clear, and to the
'Canon, *Si audieris*, by which
'the gloſs doth ſound it ſelf,
'much may be ſaid: As firſt,
'that that was a Precept of the
'Old Judicial Law, as appears
'clearly. For 'tis found in the
'13*th*. of *Deuteronomy*. And
'commands of that kind ceaſed
'to oblige under the new Law,
'unleſs the inſtitution thereof,
'had been renewed. Nor do
'we read of any ſuch new In-
'ſtitution: For *Cyprian*, to
'whom that Text in the *Decrets*
'is aſcribed, had not the pow-
'er of iſſuing out the General

'Laws (for as much, as he was
'not Biſhop of *Rome*) nor eſ-
'pecially in a Caſe, wherein or-
'der is given concerning Burn-
'ing, and Death; as appears in
'the Text, *&c.*

'Or otherwiſe you may ſay,
'that, that Text doth not ſpeak
'of Hereticks, but of Idolaters;
'and thoſe Crimes are different,
'as appears out of what hath
'been before ſaid.

'And again, otherwiſe it
'may be ſaid, that it ſpeaks ſo,
'when all Perſons of a City
'were infected with that Crime.
'And if they were not all in-
'fected, yet that was lawful
'at that time, while there was
'a Command of God for it,
'who is the Lord of Life and
'Death; and for which, there

'is a good Text, where menti-
'on is made of *Sampſon's* Ho-
'micide. But to the other
'Laws which *Archidiaconus* ur-
'geth, 'tis anſwered, that thoſe
'things were done by Gods
'Authority, who did inwardly
'inſpire the Authority of kil-
'ling, *&c.* and it is to be ſaid,
'that he ſpeaks, when theſe
'things were done by the Au-
'thority of the Judge, as ap-
'pears in the end of the Text,
&c.

'And as to ſomewhat elſe
'Cited, you may ſay, that 'tis
'underſtood, when in a lawful
'Caſe, War was waged againſt
'them; and there was added
'alſo to that the Authority of a
'Superior, who could grant
'it: Otherwiſe this Abſurdity

'would follow; that for an Act 'unlawful, and disallowed, the 'Pope might grant Indulgen-'ces; which are only to be 'granted for a work of Chari-'ty: According to what is na-'med by the Doctors, *&c.* and 'for which the Text makes, 'for as much as Saint *Thomas* 'holds out of the same 4. *Sen-'tentiarum. distinc.* 20.

'The Result of the whole, 'will rest here, that if a City 'doth fall into Heresie, then it 'may be burn'd and destroy'd, 'and not otherwise.

'*Bartolus* Confirms this Re-'solution in the Case of Heresie, 'and of Treason, and in all o-'ther Cases where the Son is 'punished for the offence of the 'Father. And thus it was done

in

'in the Caſe of *Carthage*, which 'for its Rebellion, was plough-'ed up, as appears in the *Pan-'dects*. He ſaith likewiſe, that 'he ſaw the Definitive Sen-'tence of *Henry* the Emperor, 'which he gave againſt the 'City of *Brixia*, that Rebelled 'againſt him, wherein he men-'tioned, that the City was to 'be ploughed up: The which 'puniſhment he afterward out 'of his Mercy releaſed, *&c.* 'And thus *Boniface* did, who 'by reaſon of the faults of 'ſome of the Templars, deſtroy-'ed their whole order, becauſe 'they were Hereticks.

'But none inferior to a Prince, 'can give this Sentence, nor can 'it be done, without the Au-'thority of a Prince, according

to

'to what *Bartolus* doth at large 'purſue. *And* Salycet *was of the ſame Opinion.*

'But when ſhall we ſay, that 'a City commits Hereſie, ſo 'that it may be puniſhed in the 'manner aforeſaid?

'I Anſwer, then, if they 'were all Hereticks, or the Ma-'jor part: And it is requiſite 'that they ſhould meet toge-'ther as a Community to com-'mit this Crime; Namely, by 'joynt Councels. Otherwiſe 'ſingle Perſons would be ſaid 'to do it and not the Commu-'nity, *&c.* Nor would I have 'you believe by this, that the 'Innocent are puniſhed with 'Corporal Puniſhment for the 'guilty, which appears mani-'feſtly from what is ſaid by *Bartolus, &c.* But

'But accrding to the premiſ-
'ſes, the queſtion is, Whether
'theCommunity being puniſh-
'ed for Hereſie, every ſingle
'Perſon be deem'd to be pun-
'iſhed ſo, as that he may be
'judged to be ſeverally puniſh-
'ed for it; and ſo ought not
'to be puniſhed further?

'To this I Anſwer, that Per-
'ſons ſingly, may neverthe-
'leſs be puniſhed, if they are
'found guilty of this Crime;
'becauſe what the Communi-
'ty doth owe, Perſons do not
'ſingly, and ſo on the contra-
'ry, *&c.* For this Deciſion,
'thoſe things do ſerve, that
'are noted by *Joannes* and the
'Moderns, and by *Barto-*
'*lus.*

If any one would know what

what figure *Gundiſſalvus* makes in the account of the Learned *Papal* World, you may tell him, that I ſuppoſe that *Tractate* of his againſt *Heretical* pravity, was Printed long before it was bound up with the *Tractatus Criminales*, before mentioned: For that by one whom I Employed to Conſult the *TRACTATES* in 17 *Volums*, in the Edition of *Lions*, in the *Year* 1544. I am informed, that, that Work of *Gundiſſalvus*, is there in the Second *Volume*, *fol.* 267. (the which alone, would ſhew him to be a conſiderable *Author*) and in the courſe of my Curſory View of ſome *Civil* Law Books writ of matters of State, I have read him reſpectfully cited by *Magerus de*

Advocatiâ

Advocatiâ Armatâ, cap. 8. and p. 205. and by *Klockius* in his *Book De Contributionibus*. And as an Indication of his not being valued as a ſingular or Heterodox Author by *Paſſerus*, who publiſhed the *Criminal Tractates* aforeſaid, you may find ſomwhat of the Famous *Boerius* his *Tractatus de Seditioſis*, publiſhed in the ſame Volume, *viz. char.* 57. *n* 18. aſſerted to the ſame purpoſe.

But none need wonder at *Gundiſſalvus*, giving his opinion as he did, when he tells us, that *Johannes Andreas*, and *Laurentius*, two Famous *Canoniſts*, ſeemed to be of opinion, that an Heretical City, might be deſtroyed by any one; and without the Judgment of the Church,

Church, particularly ordering it.

Yet here in this place, I have Cited out of *Gundiſſalvus*, it is worthy of obſervation, that ſome paſſages may render him appearing no *Slave* to *Implicit* Faith, or one as I may ſay that roweth in the *Popes* Galleys. His Judging of the Caſe, as he did with ſo much *Horror*, was very Commendable in him; as was likewiſe his reproof of the *Cannoniſts* by him *Cited*; and his ſaying that *ones pen was to have been more tempered*, and his differing from the meaſures of the *Text* and *Gloſs* about the Canon *Si audieris*, and the Interpretation of the *13th.* of *Deuteronomy* and anſwering the objection thence taken, and from the

the Authority of *Cyprian*, ſeems to have in it ſomething of the *Noble Berean.* But after all he doth in reality ſhew himſelf an arrant *Canoniſt*, and with other *Canoniſts* by him cited, he founds the *Papal* power of deſtroying *Heretical* Cities, on the *Popes* being a kind of *Prince* or fifth Monarch over the World, and on Hereſie being a rebellion againſt him: And that where the *Major* part of a City are *Hereticks*, the moſt moderate of the *Canoniſts* think the deſtruction of it is lawful, if there be the Judgment of the *Church*, that is to ſay, of the *Pope* in the caſe, as any could think the Deſtroying of a City, where the *Majority* were *Rebels* when decree'd by a *Soveraign Prince.*

No

No doubt but to all *Loyal* Roman Catholicks who are willing on all occaſions to teſtify their *Loyalty* by the oppoſing that *Irreligionary* part of *Popery* (as you call it) which refers to the *Uſurpations* of the *Papaute*, and to its pretended Univerſal *Monarchy*, the Publiſhing of this or any *Tenet* that ſheweth the *Abſurdity* of the Popes claiming ſuch a *Power* cannot be unwelcom. And as you have well urged it that the *Canon* Law was never in *Groſs* received in *Eng.* in the time of our *Roman Catholick* Anceſtors, ſo it would be a vain expence of time to ſhew that this particular Canon, *Si Audieris*, never was, and that *Malicious* and Voluntary *Burning of Houſes* being

being an Hoſtile Action, is preſumed in our *Law* to be done for *Revenge*, and as by an *Enemy*, to Conſume the ſame by *Fire*, in time of *Peace*. Any ſuch *Foraign* power would by our *Roman Catholick* anceſtors have been Preſently Adjudged to come under the *Notion* of what I before referred to, as *Ignis Alienus*, and of outraging our Country *Modo guerrino*; and the very claim thereof in the *Canon* Law cannot but make all conſiderate and Loyal Roman Catholicks ſtartle at the thought of the Extravagance of the former papal *Uſurpations* in the world abroad.

But you have from *p.* 259. to 265. with ſo much *Candour* and Fairneſs, diſcourſed of this

Savage *Tenet* in the *Canon* Law, that you have ſaved any one elſe much of his Labour in doing it; and I could wiſh, that all Writers of Religionary *Controverſie*, would proceed by ſuch your Meaſures of *thinking themſelves Morally obliged, to ſay all that the matter will fairly bear on both ſides.* And I accord with you, in Judging any writer to be a kind of *Falſarius*, who doth not ſo: And am glad that you having ſo Juſtly branded that poor partial way of Writing, wherein too many Proteſtant, as well as Popiſh Authors, have appeared ſo defective, you have afforded the Age ſo fair a *Specimen* of Writing with Morality about a *Tenet* very unmoral, and in ſo Cool and

and Diſpaſſionate a manner of a *Tenet* ſo fiery.

I am not now to tell you, what you have ſo long known of me, *viz.* That I never was a Lover of the *Canon* Law: And that though I always had a great Honour for the Principles of *Nature* and *Reaſon*, appearing in the *Civil* Law, yet as I never thought better of the *Canon* Law, than *Albericus Gentilis* did in his *9th. Chapter*, and Second Book, *De Nuptijs*, where he ſaith, *ſed hoc jus brutum & barbarum ſanè eſt, natum in tenebris Sæculorum Spiſſiſſimis, productum a Monacho, Tenebrione*, &c. So my finding particularly *Cyprian* ſo miſerably abuſed in the *Canon* of *Si audieris*, hath made me the more to *Nauſeate*

it. For it is evident, that the place in *Cyprian*, doth not prove what *Gratian* propoſeth, *viz.* That a whole *City* now under the *Goſpel*, may be burned for a few *Hereticks* inhabiting in it.

'Tis plain, that *Cyprian's* deſign there is to encourage all good Chriſtians, rather to ſuffer Martyrdom, than to commit Idolatry, by Worſhipping *other* Gods; that being the *Title* and *Subject* of the *Epiſtle*, *De exhortatione Martyrij*; and in order to this, he ſhews Gods great Hatred, and ſevere puniſhing of Idolatry, Namely, from *Deut.* 13. 6. (the which making nothing for that *Monks* purpoſe, he wiſely leaveth it out of his *Canon*) and from *v.* 12*th.* and 13*th.*

13*th.* of that *Chapter*, viz. *If thou ſhalt hear ſay in one of thy Cities, which the Lord thy God hath given thee to dwell there, certain* Men, *the Children of* Belial, *are gone from among you, and have withdrawn the Inhabitants of their City, ſaying, let us go and ſerve other Gods*, &c. 'Tis therefore plain, that this ſevere Law, concerned only the *Cities* of *Iſrael*; the words in that *Text* being *One of THY Cities, which the Lord thy God hath Given THEE*. And as the *Law* under that penalty, was given only to the *Jews* in *Canaan*, ſo it obliged them only, and not any other People of any other Country. Moreover as to the Words in the *Text*, viz. *withdraw the Inhabitants of their*

City, and which Gratian thought fit to leave out, they may be ſaid to be Indefinite, and may mean all the Inhabitants: And then it was evidently Juſt, to kill them all, according to the words in *Cyprian, Etiam ſi univerſa Civitas conſenſerit ad idololatriam.* But if the *Major* part be not indeed meant then, if you will conſult *Ainſworths* excellent Commentary, on *Deut.* 13. *v.* 12, 13. you will find, that the *Doctors* among the *Jews*, ſay, that if a *Major* part of the City be drawn to Idolatry, then that *Major* part ſhall be ſlain, and the City be burned. But if the *Minor* part only be drawn to Idolatry, then they ſay, that *Minor* part ſhall be Slain; but the City ſhall not be burnt. This

the

the *Jewiſh* Doctors, who underſtood that *Text*, much better than *Gratian* or *John Semeca* his *Gloſſator*, took to be the meaning of that *Text*, and ſo likewiſe many Learned Chriſtians did.

Cyprian then having ſhewn how great a Sin *Idolatry* was; and how hateful it was to God, he adds, *Si ante Adventum Chriſti Circa Deum Colendum & Idola Spernenda hæc precepta ſervata ſunt, quanto magis poſt adventum Chriſti ſervanda ſunt?* But we know, *Moſaical precepts*, are either *De officijs*, or *de pœnis*. And as to the former, namely, *Moral* Offices, or *Duty* to *God*, and our *Neighbour*; Of precepts for theſe *Cyprian* ſays, that if they were obſerved before *Chriſt*,

then *quantò magis poſt adventum Chriſti*, &c. who had in his *Sermon* on the *Mount*, fully explained, and given us the true meaning of them. And the clearer underſtanding of any Laws, doth certainly induce a ſtronger Obligation from them: And hence it is, that *Cyprian* thinks truly that Chriſtians are more *ſtrictly* obliged to obſerve the *Moral* Law, than the *Jews* were. But the Laws *de pœnis & ſupplicijs*, *Cyprian* doth not at all mention, nor in that place intend or mean. For Chriſtians are not bound to inflict the ſame puniſhments on the Tranſgreſſours of the Law, to which the *Jews* by the *Moſaical* Law were bound. For to the *Jews* Adultery, or breach

of

of the Sabbath, were *Capital* Crimes: But not ſo among the Chriſtians. Theft was not Capital by *Moſes* his Law: Yet by the Law of *England* it is. By the *Jews* Law, it was *an Eye for an Eye, and a Tooth for a Tooth*; but our Bleſſed Lord declares againſt that ſeverity, as not to be uſed amongſt *Chriſtians*. And yet our *Monarchus Tenebrio*, would have *Cyprian* underſtood *de pœnis*; and againſt Truth and the Senſe of *Cyprian* concludes, that becauſe *Idolatry* was by the *Jews* Law puniſhed with Death, therefore it ſhould be ſo puniſhed, ſince *Chriſt*, under the Goſpel.

Gratian ends his Quotation out of *Cyprian*, with theſe words, viz. *Si ante adventum Chriſti hæc*

hæc præcepta ſervata ſunt quanto magis poſt adventum ſervanda ſunt, quando ille veniens non verbis tantum nos hortatus eſt, ſed & factis? By which words he would prove, that our Lord did both by *Words* and *Deeds*, exhort us to *Kill* Hereticks: Whereas there is not one word in *Cyprian*, or the *Texts* of Scripture he Cites, which any way concerns *Hereticks* or *Hereſie*; but only *Idolaters* and *Idolatry*, which are things of a far different Nature. And had *Gratian* conſidered what immediately follows there in *Cyprian* (and which he there unluckily leaves out) he might have clearly ſeen that *Cyprian* neither ſaid nor meant, that the *Meek* and the *Holy Jeſus*, did, by *Deeds* or

Words,

Words, Exhort Men to kill *Hereticks*. But that which *Cyprian* truly ſaith, our Bleſſed *Saviour* did by *Deeds* and *Words* Exhort us to, was that *Chriſtians* ſhould patiently ſuffer, and by no means renounce the Goſpel by ſerving Idols, and by Idolatry. For as to thoſe words with which *Gratian* ends his *Canon*, viz. *Chriſtus veniens non verbis tantum nos hortatus eſt, ſed—factis*, there ſhould have been only a *Comma* after *factis*, though *Gratian* makes a *full* point, as if it *concluded the* Sentence. It immediately follows in *Cyprian* thus, viz. *Non verbis tantum nos hortatus ſit, ſed & factis, poſt omnes Injurias & contumelias paſſus & Cruciſixus, ut nos pati & mori exemplo ſuo doceret,*

doceret, ut nulla ſit homini excuſatio pro ſe (pro Chriſto) non patienti, Cum ille paſſus ſit pro nobis, &c. In ſhort, that which *Cyprian* ſaith, Chriſt taught us with *Words* and *Deeds* was not, that we ſhould *Kill* Hereticks, as *Gratian* would have it; but that we ſhould willingly ſuffer Death for the Goſpel, rather than be Idolaters.

We know that in the caſe of the *Samaritans* (who were both *Hereticks* and *Idolaters*) when *James* and *John* would have had *fire* from *Heaven*, to *Conſume them*, our bleſſed *Saviour* Rebuked them, and ſaid, that *the Son of Man was not come to deſtroy Mens Lives; but to ſave them.*

Becauſe I love to make no breach

breach among Chriſtians wider, and becauſe in *p.* 260. you have, in general, mentioned *Gratian's* Miſciting of *Cyprian*, and in *p.* 261. ſhewed that *Gratian's* founding a *Tenet* on *Cyprian*, or any places out of other *Authors*, giveth it only the weight that *Cyprian* and they had in their proper Works, *&c.* I have here thought it worth while, to ſhew that *Papiſts* are under no *Moral* Obligation by this *Canon*, *Si audieris*, and do believe, that the more Sagacious Perſons of the Church of *Rome*, do (as is ſaid in *Pere verons* Book, you in the page laſt cited refer to) make *Gratian's Decrees*, and the *gloſs* claime nothing of *Faith*, and ſo even in the country's of the Pope, where

where the *Canon* Law is in force, this part of the *Decrees*, ſo wilfully miſtaken by *Gratian* out of *Cyprian*, can bind none in Conſcience.

And therefore as to what you mention of the Roman Catholick Gentlemans obſerving, that the *Council* of *Trent* had gone far in the Confirmation of the *Canon* Law, *&c.* I account you have ſaid enough to *Anſwer* that *Objection*: For though the *Council* of *Trent* hath it in the 25*th. Seſſion* C. 20. *De Reformatione* p 623, 624. of the *Edition* at *Antwerp*, in the year 1033 that *Præcipit ſancta ſynodus ſacros canones, & concilia generalia omnia, necnon alias Apoſtolicas ſanctiones in favorem Eccleſiaſticarum perſonarum, li-*

ber-

bertatis Eccleſiaſticæ, & contra ejus violatores editas quæ omnia præſenti decreto innovat, exactè ab omnibus obſervari debere; tho' other expreſſions in that Council, may ſeem to confirm ſome parts of the *Canon* Law, they cannot (I think) Rationally be extended to confirm any thing therein that was void, *ab initio*, and ſo not obligatory, and as this *Canon*, *Si audieris*, appears not to be, by *Gratians* falſification as to *Cyprian*.

But how far a *Tenet* or *Principle* of this Nature, branded by no *Index expurgatorius*, is yet chargeable on the *Papacy* as *approved* by it, I leave to conſideration, and do think it great pitty, that when a *Pope* could find leiſure by a *Bull*, that

I find King *James* the I. mentions in his Works, as beginning with, *Exurge Deus*, to Damn among other sayings, that of *Luther*, *Nova vita est optima pœnitentia*; he did not find time to censure this thing in his *Canon* Law.

I thank God that I am Embarqued in a *Church*, whose *Articles* and *Canons* contain nothing inserted in them by any *Falsarius*; and by which nothing is *approved*, or imposed on me to own, contrary to the *Liberty* purchased for me by my *Redeemer*. You have in p. 71. cited a late *Author* of the Communion of this *Church*, for saying that *Image-Worship, invocation of Saints, Transubstantiation, Purgatory are, and will be*

Learn-

Learnedly and Voluminouſly defended on each ſide, to the Worlds End; and perhaps in the World abroad, it will be ſo. But I agree with you, in believing that the *Preſent State of England* doth, and probable future one of it will here render *Voluminous* Writings of all *Theological* Controverſies out of *Faſhion.*

Your *p.* 170. contains in it one *Theological* conſideration, of more value in my Opinion, than many *Tomes* of *Controverſy*, viz. *that Papiſts as well as others of Mankind, have a right and title to the free and undiſturbed Worſhipping of God, and the confeſſion of the Principles of Religion, purchaſed for them by the Blood of Chriſt*: And the very

conſideration of the *Duty* incumbent on all *Chriſtians*, to *ſtand faſt in this Liberty*, ſo dearly *purchaſed* for them, would, if I were in the *External* Communion of the Roman Catholick *Church*, prevail with me to leave it, though there were perhaps, no other Argument in the caſe.

I have here our great Dr. *Jackſon* on my ſide, in thus Judging in his Treatiſe of the *Church*, 14th. *Chapter*, where having given *two Reaſons as juſt and neceſſary for which Men may, and ought to ſeparate themſelves from any viſible Church*, and named this as the *firſt*, Namely, 'when they are urged 'and conſtrained to profeſs or 'believe ſome points of Doctrine,

'ſtrine, or to adventure upon 'ſome practices, which are 'contrary to the Rule of Faith, 'or Love of God, *he mentions this as the* Second, *viz.* 'Incaſe 'they are utterly deprived of 'Freedom of Conſcience, in 'profeſſing what they inwardly 'believe, &c. *for which he quotes*, 1 Cor. 7. 23. 'ye are 'bought with a price, be not ye 'Servants of Men.

'Although (*ſaith he*) we 'were perſwaded that we could 'communicate with ſuch a 'Church, without evident dan-'ger of Damnation, yet in as 'much as we cannot Commu-'nicate with it, upon any bet-'ter Terms than Legal Servants 'or Bondſlaves do with their 'Maſters, we are bound in Con-

'ſcience and Religious Diſcre-
'tion, when lawful occaſions
'and opportunities are offered,
'to uſe our liberty, and to
'ſeek our Freedom, rather
'than to live in Bondage.

I am far from deſiring to entrench on this *liberty* for *Papiſts*, in matters or *Tenets* properly *denominable* by the Term of *Religionary* ones (according to the *expreſſion* by you frequently uſed) and do ſuppoſe, though there were no ſuch thing in the World, as a *Pope* or *Patriarch*, that the Religionary *Tenets* of *Tranſubſtantiation and Purgatory*, &c. may continue to be believed by many; and if any one ſhall contrary to the Senſe of the Government, and of *Acts* of *Parliament*

liament in *Henry 8ths* time, believe, as the *Repreſenter* doth, that the *Biſhop* of *Rome* hath here in Spirituals more power by the Word of God, than other Foraign Biſhops; I ſhall not endeavour by any ſeverity, to impoſe on him the contrary Belief: But yet ſhall ſtill by virtue of that Sacred *Word*, think my ſelf bound, and that particular *paſſage* in it cited by Dr. *Jackſon*, not to be *a Servant of Men*, as to any Doctrinal Impoſitions; and to forbear external Communion with any Church, that would impoſe upon my Belief.

I know of none of the Church of *England*, who hath avowed the practice of more Indulgence to *Papiſts* in the Confeſ-

ſion of their *Religionary* Princi-ples, than I have done: And I thank God, that my practice in this kind, hath not been by *Fits* or *Starts*, or *Turns* of *Times* or *Humours*; but that my *Life* hath in this *Point* of doing Juſt and Charitable Offices, to all Conſciencious and Loyal *Papiſts* been as (I may ſay) a *Thred* even ſpun upon every *Wheel* of Providence. Your ſelf can tell of the Signal good Offices I did to many Papiſts, and to others, that a Clamorous Common Fame would have run down as *Popiſhly* Affected, when you applyed to me then in their behalf, during the Seaſon of ſome of the late *Narratives*; and I am able further to do you the Juſtice, as

to

to remember what you have long ago told me (and what I had reaſon to believe) that when the *figure* you made in another of his Majeſties Realms, allowed you *Virtute officij*, to have made many thouſands of them groan under the Burden of the Penal Laws, you held your ſelf, in Conſcience obliged not to do it, but on the contrary, to reſcue them from the leaſt Hardſhip thereby.

But I ſhall here take occaſion to tell you, that I have ſcarce in any thing more ſhewed my Friendlineſs to the Perſons of ſome of my Roman Catholick Friends, than by my Advice to them that they would apply to the Writers of their Church, to forbear troubling our *Eng-*

liſh World with new Models of Reconciliation of Churches.

And indeed, *Nature* doth now Loudly enough tell us, that the *Real* Peace of Kingdoms ought not to be troubled by projects of a *Chimerical* one between Churches. The beſt Men are Reconciled to one another, and the Reconciling of all the worſt Men in the World together, would make their Aſſociation more troubleſom to Mankind: And when we know that the Bigots of the Church of *Rome* can ſtir no further from the Councel of *Trent*, than our Soldiers in *Africa*, could from their Garriſon of *Tangier* before the *Peace*, there is no thinking of their Travelling far to meet

us.

us. And if any one suppose that they would meet us half way, yet notwithstanding he might likewise according to the Principles of *Nature* suppose that the other Moiety of the *Theological* Controversies not agreed in, would occasionally render Mens Spirits more Tempestuous toward each other, and the publick; as we usually see Storms to be most violent about the Season of the *Equinoctial*. Moreover, they who give themselves the *Office* of *Reconcilers general*, or intrude into the Station of the Publick *Mediators*, appearing thereby hot and unquiet in their own tempers, & rendring themselves always liable to disquiet from abroad, by attacks from all parties,

ties, are of all Men the moſt unlikely to be univerſal *Peace-Makers*, or to gain any *Bleſſing* by being ſuch And as you have in your *Diſcourſe* Studiouſly declined the uſe of the little *Names* of *Diſtinctions* of three differing Parties in the State, ſo ſhall I likewiſe do; but can eaſily give you occaſion to gueſs which of them refers to Men moſt Hated, and moſt Impolitick, by Minding you how the *Syſtematical* Writers of *Politicks* do often call neuters *Middle Region Men*, and ſuch as being Lodged in the *Middle* Rooms, are annoyed with the *droppings* from above, and *ſmoak* from below.

You have expreſſed your ſelf in your *Preface* and *Diſcourſe* as ſo

ſo much agreeing with me in this Subject, that I ſhall be but Juſt to you, in owning my Belief, that your varying from ſome of the Meaſures of the Church of *England* in ſome Points tended not to encourage others to undertake the *Thankleſs Office* of being *Match-Makers* of *Churches.*

I know very well, what my Lord Primate *Bramhall*, in order to ſhewing that the Sons of the *Church* of *England* are not Slaves to its *Articles*, ſaith, In his *Juſt Vindication of the Church of* England; and how *Mr.* Chillingworth in his *Religion of Proteſtants a ſafe way to Salvation*, tells us, that *by the Religion of Proteſtants, he under-*

underſtands not the Doctrine of Luther *or* Calvin, *or* Melanchton, *nor the Articles of the Church of* England, &c. *But that wherein they all agree, and which they all Subſcribed,* &c. *as a perfect Rule of their Faith and Actions, that is, the Bible, the Bible I ſay, the Bible only is the True Religion of Proteſtants,* &c.

And therefore what ever *freedom* you juſtly claim, by the *Charter* of the *Bible*, to confeſs any *Religionary Tenets* however different from thoſe I own, I am not to envy you: But do know, that I am bound to pitty you, or any elſe of Mankind, that I ſhall think to err therein, though it ſhould be in any *Religionary* Tenet of *Pope-*

ry

ry it ſelf, or in the *Power* of the *Biſhop* of *Rome* in Impoſing *Creeds* or *Rules* of Divine Worſhip on Men by *Divine Right*, as part of your *Deſcription* of *Popery* runs; and as to which I think, there may be occaſion in your *Review* of it, to avoid giving more Offence both to the Church of *England*, and that of *Rome* thereby, than you perhaps intended.

I have obſerved a late *French* Writer to avoid the Cenſure of deſcribing the Communion of the *Church* of *Rome*, or the Faith of that Church by a doubtful Name, having uſed the Term *la Catholicité*. But as to your Deſcription of *Popery*, I may mind you, that according to your

Quo-

Quotation in *p.* 318. out of *Ames*, of the *Seven Venetian Divines*, who, in that moſt *Judicious Tractate* of theirs (as *Ames* calls it) of the *Papal Interdict*, affirmed, that *a Chriſtian ought not to obey any Command of the Popes, unleſs he had firſt examined the Command, as far as the Subject Matter required, whether it were convenient, lawful and Obligatory, and that he Sins, who Implicitly obeys it*; thoſe Divines though adhering to *la Catholicità* firmly enough, did thereby throw off the *Power* of the *Biſhop* of *Rome*, in impoſing *Creeds* and *Doctrines*, and *Rules of Divine Worſhip on Men*, as much as your *Deſcription doth*: And the *Venetians* particularly oppoſing the Popes

Popes *Interloping* in their Jurisdiction, that other thing referred to in your *Description*, is sufficiently known. But if by your *Description of Popery*, you intend only to give us a *Dictionary* of your Sense of the word generally, as used by you; and that you intend by the *Extermination* of *Popery*, the *Banishing* only of those Principles of it, that are *Irreligionary*, out of Mens Minds; namely, the Principles that tend to the Popes Spiritual and Temporal *Usurpations*: I am not to quarrel with your expressing your own meaning, But as I Judge several *Roman*-Catholick Writers using the Term *Popery*, to intend thereby, the *Religion* of the *Church* of *Rome*, as for example,

ample, the *Author* of the *Compendium*, saying what I before referred to, that *nothing but* Popery *or at leaſt its Principles, can make the Monarchy of* England *again emerge or laſting* (yet as to which *a Divine Sentence was in the Mouth of the King*, when in his Gracious Expreſſions in *Council*, concerning the Church of *England*, he Judged otherwiſe, and ſaid, *I know the Principles of that Church, are for Monarchy*, &c.) and meaning by *Popery*, what was called *la Catholicité*, I ſhall ſay, that according to the common acception of the Word *Popery*, were I to explain what I uſually mean by it, I would declare, that I mean not only the *Power of the Biſhop of Rome*, but

but of any *General* Councils in *Impoſing Creeds and Doctrines*, &c. on me: And I deſiring to have all *Religionary* Errors *baniſhed* out of my underſtanding, and *Loving my Neighbour, as my ſelf*, will deſire they may be ſo out of his, and particularly, if after he knoweth *he is bought with a price*, he ſhall think it lawful for him to be *a Servant of Men*: And will not only weigh the *Commands* and *Decrees* of any *Biſhop*, But of any *General* Council whatſoever: And if in Matters that Import my Salvation, I find them contrary to *the Bible*, with a *Salvo* to the Reverence I owe to all *Lawful* General Councils, I will deſire them to excuſe me from obeying them. Were it

not for what you have ſo well in p. 48. ſaid, that *the Proteſtant Religion not making the mention of the Preiſt eſſential to the Sacrament of the* Euchariſt, *is more ſtrongly aſſertive of the Real preſence there, than the Popiſh Hypotheſis*, and for that great and excellent Notion of yours, in your *Diſcourſe*, *viz.* That *Papiſts and others being* bought with a Price; *that therefore they ought not to be the Servants of Men*, and my Judging that according to what I have mentioned out of Dr, *Jackſon*, that you would ſeparate your ſelf from any Church, that impoſed any thing Magiſterially on Mens Faiths, I might think that perhaps, had you lived in the *Reign* of *Henry* the *8th*, you would

would not have ſeparated from the *Eccleſia Anglicana*, as then by Law Eſtabliſhed.

And therefore, when by your warm Expreſſions in *p.* 47. after you have ſaid, that *the Proteſtation that the Proteſtant Religion requires, is ſuch a continual one, as is Reiterated upon every freſh Act and Attempt of the Papal Religion, upon ours*; (and whereby it would impoſe Creeds and Doctrines on us, contrary to the Liberty of the Church of *England*, as now by Law Eſtabliſhed) You tell us, that *We are to ſhew no Mercy to theſe Principles of Popery, that diſquiet the World, and on the ſeveral occaſions offered, proteſt againſt the Damages that both our King and Country may have from*

the Rage of Popery, I may tell you, that this PROTESTANCY amounts to no more than what we read of in the *Review* of the *Council of Trent*, where in *Book* 1. and 12*th*. *Chapter*, the Author refers to the *French* King by his Embaſſadors, cauſing a PROTESTATION to be made againſt the Council of *Trent*, and as appeared by the *Oration* there made by Mr. *Arnold de Ferriers*, the 22*d*. of *September*, 1563. where among other things having mentioned many grievances, he ſaith, that *according to the Commands of the moſt Chriſtian King, they were conſtrained* CONCILIO INTERCEDERE UT NUNC INTERCEDEBANT, by the ſame Token, that that *Book* relates, how there-

thereupon *a certain* Prelate *of the Council of* Trent, *not well underſtanding the* Propriety *of the Word* Intercedere, *which the* Tribunes *were wont of Old to uſe, when thay made their Oppoſitions and Hinderances, asked his Neighbour*, PRO QUO ORAT REX CHRISTIANISSIMUS?

But of the *French* Kings *Embaſſadors* proteſting not only againſt *Grievances* in the *Council* of *Trent*; but againſt it ſelf, as a Grievance, and of ſome occaſions thereof, it will come in my way to ſpeak hereafter.

Nor was there ever any *Inſtrument* or *Paper* Writ with more ſharpneſs of Anger and Scorn in the way of *Defiance* againſt *Papiſmus* or *Popery*, than

H. the 8*ths* *Proteſtation* againſt the *Council* of *Trent*; and yet inclusive too of another *Proteſtation*, I mean, of his Adherence to the *Faith* then called *Catholick*. That long *Proteſtation* calls the *Pope* by the Name of *Biſhop* of *Rome*, and ſaith, *ſurely except God take away our right Wits, not only his Authority ſhall be driven out for ever; but his NAME alſo ſhall be forgotten in* England.

Nor did ever any *Proteſtant* Writer in Queen *Elizabeths*, or King *James* the *Firſt's* time, or in our late *Fermentation*, ſo zealouſly preſs the *Exterminating* of the Papal Power, as *Henry* the 8ths. *Proclamation*, about the *Aboliſhing* the ſame, Triumph at its being here done. And

where

where he ſaith: *We have by Good and Wholſom Laws and Statutes made for this purpoſe, EXTIRPED, ABOLISHED Separated and Secluded out of this our Realm, the Abuſes of the Biſhop of* Rome, *his Authority and Juriſdiction, of long time Uſurped,* &c. And the King there Orders, *all manner of* Prayers, *Oraiſons, Rubricks, Canons of Maſs-Books, and all other Books in the Churches, wherein the Biſhop of* Rome *is NAMED, or his Preſumptuous and proud* Pomp *and Authority preferred, utterly to be Aboliſhed, Eradicate, and Razed out, and his NAME and* Memory, *to be never more (except to his Contumely and Reproach) remembred; but perpetually ſuppreſſed and obſcured.*

The *Act* of 28 of *Henry* the 8*th.* before ſpoken of, called an *Act for Extinguiſhing the Authority of the Biſhop of* Rome, was here referred to, and which *Act*, and other *Acts* of Parliament Eſtabliſhing the Kings *Supremacy*, and Excluding the *Pope* for ever, I mentioned as revived in Queen *Elizabeths* time, after their being repeal'd in Queen *Mary's*.

I need not obſerve to you, how this preſent *French* King hath likewiſe lately ſhewn a very Commendable Zeal for the *Exterminating* the *Uſurpations* of the *Papal* Power in the Buſineſs of the *Regalia*, and that the *Caſe* of that *Kings* Power is much altered for the better, ſince *D' Oſſat* Writ to *Villeroy* from

from *Rome* with ſo much Joy, for his having found out an *expedient*, as to the difference between *Henry* the 4*th.* and the *Pope*, about the granting to one a Church-*Dignity* in *France*, Namely, to have the Words put into the Popes *Bull* thus, viz. *pro quo Chriſtianiſſimus Rex ſcripſit*, inſtead of *quem Rex Chriſtianiſſimus nominavit*.

I doubt not, but your Curioſity hath led you to ſee a Copy of the *Letter*, writ to the *French* King, on the 10*th.* of *July*, 1680. by the *Arch Biſhops* and *Biſhops*, and other *Eccleſiaſticks* of *France* appointed by the *Clergy* there, about the laſt *Breve* of this *Pope*, upon the Subject of the *Regale*, in which *Letter* they take notice, how

how *THIS POPE* required him *not to ſubject any of their Churches to the right of the* Regale, and threatned *him, that he would make uſe of his Authority, if his Majeſty did not Submit to the Paternal Remonſtrances he had often made, and repeated to him about that point*; and they there paſs, as *YOUR Proteſtants, ſo far, as to make a* PROTESTATION, (as their word is) *againſt the Papal Uſurpation* deſigned by *THIS POPE*.

And moreover, *YOUR ſober party of the JESUITS*, have in *France* adhered to the *King* againſt the *Pope* in this *Conteſt* about the *Regale*.

But how ſevere the ſame *Arch-Biſhops* and *Biſhops* in *France*, who made that PRO-

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TESTATION, have ſince been in their *ADDRESS* againſt the *True Proteſtants* there, who have been averſe from the *Religionary* part of Popery (as you call it) I ſuppoſe you cannot be ignorant. For undoubtedly, the *Acts* of the *general Aſſembly of the* French *Clergy, in the year* 1685. *Concerning* Religion, together with their *Complaint againſt the Calumnies and Injuries, which the pretended reformed have, and do every day publiſh in their Books and Sermons againſt the Doctrine of the Church, preſented to the King by the Clergy in a Body*, July *the* 14*th.* 1685. Cannot have eſcaped your view, the ſame having been ſince printed in *London*, Tranſlated into *Engliſh*, and, as

I ſuppoſe, by ſome of the Ro*man Catholick* Religion, and will not trouble my ſelf to gueſs for what intent of the Publiſher. I have looked it over, and leave it to our *Divines*, to conſider whether it deſerves any Anſwer. I obſerved in it one Reference to Peter *du Moulins Nouveaute de Papiſme*, of the *Edition* of *Sedan*, about *Proteſtants* rendring the *Papiſts Idolatrous*, *as invocating Saints*, which was an Inſtance of the freedom allowed Proteſtants in that Realm, in *Writing* and *Publiſhing* Books againſt the *Religion* of *Popery*, as by Law Eſtabliſhed in *France*, a liberty that the Publiſher of that Tranſlation hath likewiſe ſufficiently taken, in publiſhing it here without

out Licence; and whereby he hath brought our Famous *Whitaker* and *Downham*, *Rainolds* and *Ames*, into the Range of *Calumniators* and *Publiſhers* of *Calumny's* againſt *the Church* of *Rome*.

Though the Courſe of my Studies, hath lain much more among *Law-Books* than in thoſe of *Polemical* Divinity, yet the time I have ſpent on the latter, hath enabled me to obſerve one very *Inauſpicious* paſſage under the *firſt Article*, and the *Column* of the *Calumny* of the *pretended Reform'd* about it; and where the *French* Clergy accuſe them of *Calumny*, for ſaying, *That with the Hereticks mentioned by St.* Irenæus, *Roman Catholicks reject the Holy Scriptures, that with*

with the Montaniſts, *they accuſe it of Imperfection, that they Contemn it*; and afterward that *the* Roman *Catholicks call the Scripture a Dumb* Rule, *a Stumbling Stone, a Noſe of Wax, a Two edged Sword:* And for that purpoſe, having *begun* with accuſing our *Whitaker* and *Downham* as *Calumniators*, and refer'd to their works to prove it, they afterward quote the *Theſaurus Diſputationum Theologicarum in Academiâ Sedanenſi*, &c. *de ſummo controverſ. Judice.* Tom. 1. p. 26. *Onerant* (pontificij) *Scripturam plauſtro convitiorum, vocando eam Regulam Mutam, lapidem ſcandali, naſum cereum, gladium ancipitem.*

But without any undue Reflections on that *Clergy*, I think

it

it might have been more worthy of their great Learning and Hatred of *CALUMNY*, and their Tenderneſs for the Honour of the *Scripture*, and their Obligation to handle *Theological* Controverſie with the faireſt and ſofteſt hands they could, and in ſhort, more worthy of the Honour of the *Church* of *Rome*, if they had quoted *Turrian. cont. Sadel.* p. 99. *Canus. lib.* 3. *Loc. Theol. Cap.* 2. *Sect. nec vero. Ecchius in ench. tit. de eccleſiâ. Hoſius lib.* 3. *de Auth. Sac. Script. Sect. fingamus.p.*148. as I find them Cited by our Dr. *Crackanthorp*, under his *De loc. arguendi ab Authoritate*, that you have referred to, and whom you have Celebrated for being juſt in his *quotations*, and who there

there ſpeaking of *Papiſts* ſlighting the *Scripture*, thus quotes theſe Authors, viz. *HI Scripturam vocant gladium Delphicum, Naſum cereum ad ſenſum quemvis flexibilem, quæ non niſi eccleſiæ (ſuæ) authoritate authentica ſit, de quâ* poſſe pio ſenſu dici *volunt eam, ſi deſtituatur eccleſiæ authoritate, non plus valere quam* Æſopi *fabulas*: And had further Cited ſome *index expurgatorius*, for cenſuring the *profaneneſs* of thoſe *expreſſions* in Roman Catholick Authors, and one of whom was a *Legate* in the *Council* of *Trent*, and another a *Divine* ſent to that Council by the *Pope*.

There is another Eminent *Father* of our *Church*, whoſe Writings the *French* Clergy might

might if they pleas'd, have quoted, for the ſame purpoſe they did thoſe of *Whitaker* and *Downham*, and that is *Jewel* in his *Apology*, who in *p.* 106, 107, 108. ſaith, *Itaque Sacroſanctas Scripturas quas Servator noſter Jeſus Chriſtus non tantùm in omni ſermone uſurpavit, ſed etiam ad extremum ſanguine ſuo conſignavit, quo populum ab illis, tanquam à re periculoſâ & noxiâ, minore negotio abigant, ſolent* literam frigidam, incertam, inutilem, mutam, occidentem, mortuam *appellare: Quod nobis quidem perinde videtur eſſe, ac ſi eas omnino nullas eſſe dicerent. Sed addunt etiam ſimile quoddam non aptiſſimum: Eas eſſe quodammodo* naſum cereum, *poſſe fingi flectique in omnes modos, & omnium inſtituto inſervire.* An PONTIFEX iſta à SUIS dici neſcit? Aut tales ſe habere

bere patronos non intelligit? Audiat ergo quàm ſanctè, quamque piè, de hac re ſcribat Hoſius, *quidam polonus, (ut ipſe de ſe teſtatur) Epiſcopus, certe homo diſertus, & non indoctus, & acerrimus ac fortiſsimus propugnator ejus cauſæ. Mirabitur, opinor hominem puto de illis vocibus, quas ſciret profectas ab ore Dei, vel tam impiè ſentire potuiſſe, vel tam contumelioſè ſcribere, ita præſertim, ut eam ſententiam non ſuam unius propriam videri vellet, ſed iſtorum communem omnium. Nos,* inquit, *ipſas ſcripturas, quarum tot jam non diverſas modò, ſed etiam contrarias interpretationes afferri videmus, faceſſere jubebimus, & Deum loquentem potius audiemus, quàm ut ad EGENA iſta ELEMENTA nos convertamus, & in illis* Salutem *noſtram conſtituamus. Non oportet legis & Scripturæ peritum eſſe, ſed à Deo doctum; unus*

eſt

eſt labor qui ſcripturis impenditur. Scriptura enim creatura eſt, & egenum quoddam Elementum. *Hæc Hoſius. Eodem prorſus ſpiritu atque animo, quo olim* Montanus, *aut* Marcio, *quos aiunt ſolitos eſſe dicere, cum ſacras ſcripturas contemptive repudiarent, ſe multo & plura, & Meliora ſcire, quàm aut Chriſtus unquam ſtiviſſet, aut Apoſtoli. Quid ergo hic dicam? O columina religionis, O præſides Eccleſiæ Chriſtianæ! An hæc ea reverentia veſtra eſt quam adhibetis verbo Dei?* And afterward ſaith, *aut illud verbum, quo unio, ut* Paulus *ait, reconciliamur Deo, quodque propheta* David *ait ſanctum & caſtum eſſe, & in omne tempus eſſe duraturum, egenam tantùm, & mortuum* elementum *appellabitis?*

I have not *time* to Conſult the *Works* of *Whitaker* and

Downham as Cited by the *French* Clergy: But do find that by *Jewells* Citing *Pighius*, and likewiſe *Hoſius* to make good his Charge, the *French* Clergy knew why, and wherefore, to ſpare *Jewell*'s Name in their *Claſs* of *Calumniators*. *Jewell* in his *Margent* Cites, *Pighius in Hierarchia*, and in his Margent referring to *Hoſius*, ſaith very candidly, *Hæc Hoſius in lib. de expreſſo verbo dei ſed aſtutè, & ſub alterius perſonâ: Quamvis & ipſe aliàs eadem, in eodem etiam libro, diſertis verbis affirmet.*

They afterward referred to our Learned *Rainolds*, as a *Calumniator* under their *6th. Article*, and Cite him for ſaying, that Roman Catholicks *do call the Virgin* Mary *Queen of Heaven*:

ven: And they might if they had pleas'd, have call'd to mind, that in the proper *Maſs* of her ſeven Sorrows, ſhe is called *Cæli Regina & Mater Mundi*, and that in an Office where the *Te Deum* is Traveſty'd to her (and which Office the Preſent *Pope* hath worthily *Suppreſs'd*) ſhe is called the *Queen of Glory*

But as to their *charging* our *Ames* under their *Seventh* Article with Calumny for ſaying in his *Bellarminus enervatus* the *Pope* was the ILLE *Antichriſtus*, I ſhall make no *remark* on their *Charge*; but let it paſs.

There was however, another thing that I could not but take notice of in that Book of the *French* Clergy, that made their accuſing the *Writers* of the

Reformed Religion, as *Calumniators* and *Falſifiers* of the *Doctrine* of the *Church*, ſeem to me very ſevere: Namely, that *Clergy's* joyning the *Deciſions* of the *Council* of *Trent*, with the *Profeſſion* of their *Faith*, and noting in one *Columne*, that *profeſſion* and the *Articles* of the *Council* of *Trent*, and there making the *Doctrine* of their Church a reſult from both, and oppoſing thereunto in another *Columne* the *Calumny's* in the *Writings* of the *Reform'd*; and yet by the *Date* of the *Impreſſions* of many of thoſe *Writings* as mentioned at the end of that *Book*, it appears, they were *Printed* long before the *year* 1615. and ſome before the *year* 1579. in which latter year,

Creſſy

Creſſy in his *Epiſtle Apologetical* to the Late *Earl* of *Clarendon* voucheth (but to no effect, as I ſhall by and by ſhew) that De *Marca* in his *Volume* De *Concordiâ Sacerdotij & Imperij*, tells us the *Definitions* of *Faith* of the *Council* of *Trent* were admitted by a publick *Edict* concerning the ſame in *France*; and as to which *former* year, *Cabaſſutius* an *Oratorian* in his *Notitia concil.* declares out of the *Records* of the *French* Clergy, that in their *General Aſſembly at* Paris, *in the year* 1615. the *Canons of the* Doctrine *of the Council of* Trent, *were unanimouſly received by the whole Clergy*. And in *p.*6. of the Tranſlated *Book* of the *French* Clergy, a *Book* of *Beza's* is cited, as prin-

ted in the *year* 1576, and one of *Luther's*, printed in the *year* 1558. and one of *Melanchton's* in the *year* 1552, to ſhew them *Calumniators* of the Doctrine of the *Council* of *Trent*, as the Received Doctrine in the *Gallican* Church. And whether the many other Authors there cited as printed before the *year* 1615, and yet too Cited as *Calumniating* for *injuring* the *Trent* Doctrines, as being thoſe of the *Gallican* Church, were not likewiſe ſeverely dealt with, is left to the impartial to Judge, and to whoſe view of that Book of the *French* Clergy, it will be obvious that *the profeſſion of Faith inſerted at the end of the Council of Trent*, is brought in, in the beginning of that *Clergy's*

gy's Repreſenting the Doctrine of the Church.

I love not to be Curious *in alienâ Republicâ*, and much more, not to be ſo in *alienâ Eccleſiâ*: But ſince the *Acts* of that *Clergy* have been made to ſpeak *Engliſh* here; and ſo without Licence to *Travel* about our Country, I cannot but occaſionally make a further Remark on the Severity of that *Clergy*, in taking it ill of the *Proteſtants* there *ſuppoſing* that the *Catholick Church Diſguiſeth or Condemneth the moſt Eſſential verity's of Religion, and Repreſenting her under the Hideous* idea *of a Society profeſſing an impious Doctrine, and denying the chiefeſt Articles of Faith*; ſince as I ſaid, that it was but in the *year* 1615.

that

that the *Canons* of the *Council* of *Trent*, were pretended to be unanimously received by the whole *French Clergy* at *Paris*, and that it was but a *year* before, that the *SAME Clergy* (as I find it obſerv'd by the Author of *The Difference between the Church and Court of* Rome, *p.* 31.) referred to the *Account* of what was done upon the *meeting* of the *three Eſtates*, and when *Cardinal Perron*, being the *Clergy's* Spokeſ Man, told the King, that *The Matter conteſted, was a point of Doctrine*, &c. *and that the Power of the Pope was full, nay, moſt full and direct in Spirituals, and indirect in temporals*, &c. *and that they would Excommunicate all thoſe who were of a contrary Opinion to the Propoſition, which*

which affirm'd, the Pope could depoſe the King, &c. *and for which 'tis there Cited, how the Pope by a Breve* in that *year* 1615. *returned his Solemn thanks to the Clergy of* France, *for what they had done againſt the Articles of the* 3d. *Eſtate, wherein his Power was concern'd.* The uſe I make of this, is only to ſhew that the preſent *French* Clergy, who no doubt are Conſcious of the *Error* of their *Predeceſſors* in ſuch a *DOCTRINE*, wherein *Religion* and *Loyalty* are concerned, were obliged to ſhew all the Tenderneſs and Compaſſion to their Frail and Fallible *Brethren*, not *Erring* in a *Point* of that *Nature*; but only in ſuch as were Subject to Controverſy.

I ſhall here obſerve that *Creſſy* in the *Book* aforeſaid reflects on the late *Earl* of *Clarendon*, for ſaying in *p.* 148. of his Vindication of Dr. *Stillingfleet*, that the Council of *Trent* is not yet received in *France*, and in many other Catholick Country's; *and ſaith to the Earl*, 'under favour Honoured 'Sir, you will, I ſuppoſe, grant 'that the late Famous and 'Learned Arch-Biſhop of *Paris*, *Peter de Marca*, was bet-'ter informed in the Eccleſi-'aſtical State of *France*, than 'your ſelf a Stranger, *and quotes* 'the Volume of *De Marca before* 'mentioned, lib. 2. cap. 17. S. 6. '*for Writing expreſly*, that the 'Definitions of Faith of the 'Council of *Trent*, were admit-

ted

'ted by a publick Edict made 'concerning the ſame matter, 'in the year 1579; but that 'the Decrees which regard diſ-'cipline, are not received in '*France*, becauſe they are not 'ratified by the Law of the 'Prince; although the Chief 'Heads which do not infringe 'the received Cuſtoms and An-'cient Rights of the *Gallican* 'Church, are Comprehended 'in Regal Conſtitutions ſeveral 'times publiſhed concerning 'that matter: Which thing 'how grateful and acceptable 'it was to Pope *Clement* the '8*th*, is teſtified by the late 'King *Henry* the Great *in his* 'Reſcript *of the year* 1606. And then he Quotes *Cabaſſutius* his *Notitia Concil. in fine*, for the purpoſe

pose I have mentioned before, and declaring out of the Records of the *French Clergy*, *viz.* that in their General *Assembly* at *Paris*, in the *year* 1615. the *Canons* of *the Doctrine* of the *Council* of *Trent were unanimously received by the whole Clergy*:

Father *Cressy* then farther addeth by way of *Triumph* over the *supposed* mistake in the said *Earl*, in *p.* 131. of that *Epistle*: *And long before that, even from the rising of the said Council, each particular Bishop had received it in their Respective Diocesan Synods. Thus Sir you see a sufficient Reception of the Faith delivered by the Council of* Trent *in* France *both by Authority Episcopal and Regal.*

I

I muſt not here forbear to take notice, that if it were true what *Creſſy* alledgeth, namely, *that from the riſing of the ſaid Council, the* French *Biſhops did receive it in their Reſpective Dioceſan Synods*, before any *PUBLISHING* of it by the *French* King, and not *ſtaying* for the ſame, they made ſuch a kind of Invaſion of the *Regal* power in *France*, Namely, by introducing *Religionary* Eſtabliſhments without *ITS* Authority, as was never practis'd by our *Engliſh* Clergy, ſince the *Reformation*, not perhaps *before* it; and ſuch as the *French Clergy*, cannot charge *the pretended Reform'd with*.

For their *Petition* to the *King* doth in *p.* 3. mention their (*i.e.* the

the pretended Reformed) having been by *Edicts*, permitted the *Exercise* of their *Religion*, and the *Freedom* of Acting in their *Synods*, as they have done. But this by the way.

If we consider the time of the very *Professio fidei* (that the *Acts* of the *French Clergy* speak of) being first own'd, and that in the *year* 1564, the time likewise of the *Confirmation* of the *Trent* Council, and which was not made nor *Composed* by the *French* Clergy, but by the Direction of the *Trent-Fathers*, and *Published* by Pope *Pius* the *4th.* in the year last mentioned, must it not seem hard, that *Luthers* Book printed, as was mentioned, in the *year* 1558, and that of *Melanchton's* printed in the

the *year* 1562, and before the Date of their very *Profeſſion* of *Faith*, ſhould be brought in as *Calumniating* it?

When any had a *Triumph* Decreed them in the Old *Common Wealth* of *Rome*, the *Writers* of ſuch *Solemnities* tell us, the Cuſtom was, *Ut à militibus & abjectiſſimis quibuſcunque triumphalem currum ſequentibus, diverſis triumphantes Convicijs inceſſerentur, nè proſperâ illâ fortunâ plus juſto inſolecerent.* But the new *Church* of *Rome*, I mean the *Tridentine* one in *France*, will bear no *Raillery*, nor *Calumny* of Words, nor yet any to ask them *when*, and by *whom* their *Triumph* was *Decreed* them, and if their *Doctrine* was *Crown'd Lawfully*. And methinks, as if

Nature and its *God* meant that all ſhould *ludibrium debere*, that would *Triumph* over *Fallibility* in what Church ſoever. Our Honeſt *Monk* whom I lately mentioned, as Decreeing himſelf a *Triumph* over that great *obſerver* of all things he *referr'd* to, I mean the late *Earl* of *Clarendon*, had in his *Triumphant* Chariot the uſual *Compliment* of that *Solemnity*, viz. *Hominem te eſſe cogita*, there put on him by Nature.

And one might to him Cite *D' Oſſats Letters*, and with ſome *Alluſion* to his Words to the *Earl* of *Clarendon* ſay, that he ſuppoſed that *that Cardinal underſtood the State of the Council of* Trent, *relating to* France, *as well as any one, and much better than*

than De Marca, *or any one elſe who would make its definitions of Faith admitted in* France by an *Edict* in the *year* 1579.

Let any one for this purpoſe, who pleaſes, look on *D' Oſſats* Letter from *Rome*, the 19*th* of *November* 1596 to *Villeroy*, where he adviſeth, that the *Council* of *Trent* might be *Publiſht* in *France*. and mentions that the *Clergy* of *France* had often deſired a *Publication* of it, and ſaith, that the *Huguenots* by reaſon of the *Edict* of 77. would not be *prejudiced* by ſuch *publication*; and on another Letter to *Villeroy* from *Rome*, on the 19*th* of *February* 1597, where he again preſſeth for the *publication* of that *Council*, and ſaith of it, *La publication ſans l' obſervation*,

pourroit plus que l' obſervation ſans la publication: and that the *Courts* of *Parliament and others, would have no cauſe of complaint thereupon, and that a* Salvo *of two or three Lines, would be a remedy againſt any complaints*, and on his long *Letter* from *Rome*, the 28*th* of *March* 1599. to *Henry* the *Fourth*, where he minds him from the *Pope*, that the *Councel* of *Trent* might be *Publiſhed*, and ſaith, *Que la pluſpart des Catholiques, & ceux qui plus peuvent Comme les Parlemens, & les Chapitres, & les principaux* Seigneurs, *ne veulent point du dit Concile, pour n' avoir point à laiſſer les benefices incompatibles, les confidences & autres abus quæ la Reformation portee par le dit Concile oſteroit*;

and

and on his *Letter* from *Rome* the laſt of *March*, 1599. to *Villeroy*, Animating him to promote the *Publication* of that *Council*, and where he ſaith, *I never knew that that Council prejudic'd any Regal Right, as ſome ſay it hath done; but though it might prejudice it in ſome point, it might however be publiſht, with adding thereto ſuch a* Salvo *as we could have, Namely, as to the Prerogative and Preeminences of the Crown, the Authority of the King, the Liberties and Franchiſes of the* Gallican *Church, the Indults of the Court of Parliament, and the Edicts of Pacification, and all other things that we would have excepted*, and on his long *Letter* to *Henry* the *Fourth* from *Rome*, of *June* the 11*th*. 1601.

where mentioning his excuſatory *replies* to the *Pope*, about the not *publiſhing* that *Council*, he ſaith, that *not only the Hereticks, but a great part of the Catholicks were againſt it; and that his Holineſs might remember how* Henry *the Fourth's Predeceſſors, could never be brought to publiſh that Council.*

I might here mention how Father *Paul* in his *Hiſtory* of the *Venetian Interdict*, *p.* 4. and 48. tells us, that the *Trent* Council was not received in *France*, in the *year* 1616, and that *Thuanus* aſſures us, that the *Trent* Council was not received in *France* in the *year* 1588, and therefore not in the *year* 1579. according to *De Marca*. For that excellent and moſt

Faithful

Faithful *Hiſtorian, Tome* the *4th. lib* 93. *p.* 361. of his *Hiſtory*, tells us, that at that *time* (i. e. An. 1588.) *Magno Caloris æſtu contentio de Tridentinâ Synodo toties agitata denuò renovata eſt*, and how *ſtoutly* the *promulgation* of it was oppoſed.

And there is the Work of another *French* Hiſtorian, that may be here referred to, viz. *Hiſtoriarum Galliæ ab exceſſu* Hen. 4. *Libri* 18. *Authore* G. B. *Gramondo in Sacro Regis Conſiſtorio Senatore & in Parliamento Toloſano Præſide. Toloſæ* 1643. and where in *p* 57. the Author tells us, that in the *year* 1615. (the year in which *Creſſy* out of *Cabaſſutius* ſays, the *Clergy* received the *Trent* Council) *Propoſita à Clero Concilij Tridentini promul-*

gatio, & molliendæ invidiæ adjecta eſt hæc clauſula ſine præjudicio Coronæ Regiæ, & Libertatum Gallicanæ Eccleſiæ, &c. and that *Cardinal* Peron *ſpoke Elegantly and Learnedly for it; but that after long debate about the Reception of that Council (eſpecially between the clergy and the 3d. Eſtate) the iſſue was, that the third Eſtate carryed it againſt the Clergy; and the Reception and Promulgation of the* Trent *Council, was abſolutely rejected,* and (p. 69.) *PRÆVALUITQUE CLERO POPULUS.*

Where it is evident. 1. That what *Cabaſſutius* in his *Notitia Conciliorum, p.* 720. names only a *Convention* of the *Clergy* in that *year* 1615. (as if that had been

been all) was in Truth, *Conventus trium Regni Ordinum*, a Convention of the *three* Eſtates, the greateſt and Supream Convention of *France*, and as *Gramondus* ſaith, *p.* 58. *2dly.* That whereas *Cabaſſutius* ſays, the *Trent* Council was received in that General Convention of the *Gallican* Clergy; *De Marca* ſaith, and evidently proves, that no ſuch *Convention* of the *Gallican Clergy* had any *Authority* to *Receive* or *Promulgate* the *Trent* Council or any other. *Approve* it they might; but receive it they could not. But it was ſo far from being *recieved* by the Convention of the *French clergy*, that it was abſolutely rejected by the Supream Convention of the *three* Eſtates, and

that

that after a long and free Debate.

It is true and moſt Notorious, that not only in *France*, but in *England* heretofore, many of the *Papal* Clergy were generally more addicted to advance the Papal *Power*, than the Juſt *Prerogatives* of their own Kings, or the Rights of the Laity: Becauſe as by the *Clergy's* help and aſſiſtance the *Papacy* grew greater, their Juriſdiction and Revenues were thereby encreaſed. And thus *Anſelme* and *Becket* being zealous for the Pope, and Diſobedient to their King, found their account in the Pope's Aſſiſting and Favouring them with his Power while they lived, and *Canonizing* them, and making them

them (what their Loyalty could not while they lived) Saints after their Death. But as our Magnanimous Roman Catholick *Princes* did then bridle the Papal *Power*, ſo likewiſe thoſe of *France* have done; and even where *Cabaſſutius* ſaith, that the *Trent* Council was *received* in the *year* 1615. *à Clero Gallicano ſub Ludovico* 13. he doth not ſay that the *King* received it, and thus *De Marca* tells us in his *De Concordiâ Sacerd. & Imperij.* Lib. 2. Cap. 17. S. 7. p. 33. *Decreta Conciliorum legis vim in Gallià non habent, niſi recepta à Clero, & Regiâ Authoritate munita.* But *De Marca* had in that *Book* informed us, that in the time the *Trent* Council Sate, when it evidently appeared

ed by the Decrees of that Councel, the *Liberty* of the *Gallican* Church was *in quamplurimis capitibus* deſtroyed, the *Embaſſadors* of *Henry* the *2d.* and *Charles* the *9th.* left the *Synod*, being called home by their Kings: And had complain'd in that Council, that the *Liberty* of the *Gallican* Church, *& Regia dignitas erant imminutæ*; and their *receſſe* from and leaving the *Council* was a good reaſon, as *De Marca* there proves, *non admittendæ Synodi* (*i. e.*) of their not *receiving* that Council.

Father *Paul* likewiſe in his *Hiſtory* of that *Council* ſaith, that *the French Biſhops* left it on the ſame account.

But moreover *De Marca* in the

the ſame place tells us, that the whole *Clergy* of *France* did moſt frequently in their *Synods* Petition their *Kings*, that they would *Publiſh* and *Recieve* the *Trent* Council (excepting thoſe things which were repugnant to the *Liberty* of the *Gallican* Church) and that they would never grant their *Petition*, nor *Publiſh* or *Recieve* the *Trent* Council, though with that *Exception*. His words are, *Totius Cleri Gallicani Conventus Concilij Tridentini promulgationem à Regibus noſtris ſupplicibus libellis poſtulaverit, eâ lege ut ea Capita exciperent, quæ libertatibus Eccleſiæ adverſarentur: Quorum deſiderijs Principes, toto hoc negotio ſæpe in Conſilium prudentiſſimorum relato, ſe accommodare non potuerunt.* From whence

it

it is evident, if that great *Arch-Biſhop* ſays true, that the *Kings* of *France* would never *recieve* any of the *Trent* Council, no not that part of it, which was not againſt the *Liberty* of their *Church*, or their Kings *Regalities*.

But after all this, I muſt not forbear to obſerve how here it appears, that the Learned *De Marca* doth contradict himſelf. For in the ſame *page* and *Columne*, viz. *p.* 133. *Col.* 1. he ſaith, that the *Definitions* of the *Council* of *Trent* concerning *Faith* were admitted in *France* by a publick *Edict*, *Anno* 1579. (which muſt be in the 6th. *year* of *Henry* the 3*d.* of *France*) and yet he tells us in this ſame *page* and *Columne*, that although

though the whole *Clergy* of *France* did moſt frequently *Petition* their *Kings* to *Promulgate* and *admit* only that part of the *Trent* Council, which was not againſt the *Liberties* of the *Gallican* Church, yet their *Kings* would never *admit* it. If theſe words of his mean any thing, I think they muſt mean the *Definitions* of *Faith*, which *De Marca* ſaith were recieved by the *Edict* 1579. But if their Kings would never admit any of it, though the whole Clergy did Petition them to do it, then was it not admitted by any Publick *Edict* in the *year* 1579.

I remember the Learned *Author* of the *Nouvelles de la Republique des letteres*, for the *Month* of *March*

March 1685. there mentioning the *Hiſtoire critique du Vieux Teſtament par le P. Richard Simon Prêtre de la Congregation de l' Oratoire* of the *New Edition* at *Rotterdam* that *year*, ſaith that *that New Edition contains a Letter of a Proteſtant Doctor, who procured the 5th. Edition of that Critical Hiſtory*; and further quotes that *Proteſtant* Miniſter for giving an *Anſwer* to the ordinary *Diſtinction, viz.* that the *Council* of *Trent* hath been recieved in *France*, in what concerns *Faith*, but not in matters of *Diſcipline*; and he ſpeaks of an *Aſſembly* of the *Clergy* held, which he ſaith, *Deliberated how to preſent a Petition to the King, that that Council might be recieved as to what concerns Faith only, and that whatever deliberation the Prelates made there upon, the Court would not grant*

their

their Requeſt. And if that Council (ſaith he) *hath been received, let them produce us the publication of it, or any Act that ſhews us that it hath been truly received and publiſht; for according to the Rules of Right, a Council cannot* Faire Loy, *if it hath not been publiſhed.*

But if any one were minded to ſpeak Argumentatively, and ſhew that the *French* do not now receive the *Trent* Council, no not in *rebus fidei*, he might urge. 1. That the whole *Clergy* of *France* in their *Aſſembly*, *March* 19. 1682. declared that a *Council* is above the *Pope*. 2. That he hath no Power in *Temporals* in any Princes Dominions. 3. That he hath no Power to *Depoſe* Princes. 4. Nor to *Abſolve* Subjects from their

Oaths of *Allegiance*. 5. That he is not infallible. And though the *Pope* declared by his *Bull* Dated at *Rome Apr.* 11*th.* 1682. that thoſe *Acts* of theirs were *Null* (the words of *Improbamus, Reſcindimus, Caſſamus, &c.* being in the *Bull*) yet the *French* King had before in his *Edict* of *March* 23. 1682. Regiſtred in *Parliament*, Ratified and Confirm'd them all. Nor is it deniable, that theſe 5 Propoſitions, contradict many things in the *Trent* Council, which are ſetled in it as Doctrinal Points.

And moreover 'tis obvious to any one to obſerve, that in the *Acts* of the General Aſſembly of the *French* Clergy in the *year* 1685. they *Cite* their new *Trent* Creed (*i. e.*) *ſome PARI*

of

of it : For the laſt of it they cite, is *p.* 38. of that *Book*, and leave out the *LAST part* of that *Creed*, which is contained in theſe words, *Cætera item omnia Sacris Canonibus & æcumenicis Concilijs, ac præcipuè à Sacro-Sanctâ Tridentinâ Synodo tradita, definita & declarata, indubitanter recipio ac profiteor, ſimulque Contraria omnia atque hæreſes quaſcunque ab Eccleſiâ damnatas & rejectas & Anathematizatas, ego pariter rejicio, damno, & Anathematizo. Hanc veram Catholicam fidem, extrà quam nemo ſalvus eſſe poteſt, quam in præſente ſponte profiteor & veraciter teneo, eandem integram uſque ad extremum vitæ Spiritum Conſtantiſſimè retinere & confiteri, atque ab illis quorum cura ad me in munere hoc ſpectabit, teneri, doceri & prædicari quantum in me eſt curaturum. Ego idem N.*

ſpondeo, voveo, juro, &c. Theſe are the words which the *French* Clergy leave out in their *Book* above mentioned, and they knew the Preſervation of the *Liberties* of the *Gallican* Church, obliged them to ſuch omiſſion.

For by this part of the *Trent Creed*, they are bound to believe and profeſs, *Omnia à Concilio Tridentino tradita, definita, declarata*, and ſo not matters of Doctrine and *Definitions* of *Faith* only: And 'tis moſt plain, that the Council intended both matters of *Diſcipline* and *Doctrine*. And in the aforeſaid words of the *Trent* Creed, a firm Belief is required to be given, *omnibus in Concilijs œcumenicis traditis*; and then a long *farewel* to all their *Liber-*

ties

ties of the *Gallican* Church would enſue, and their *Sanctio Pragmatica*, which is the Authentick Comprehenſion of them is Damned by *Leo* the 10th. *approbante Concilio*, in the General *Lateran* Council.

It may be moreover ſaid, that the words above mentioned that the *French Clergy* left out of their Book are a part *Fidei Catholicæ extrà quam non eſt ſalus*: and therefore if the *French* do not receive (as it ſeems they do not) this part of the *Trent* Creed, then it may very well be doubted, whether they receiv'd the *Definitions* of *Faith* of the *Tridentine* Council, as *De Marca* would have us believe.

The *Trent* Creed I have re-

ferred to, is at the end of that Council in moſt of the *Editions* of it; but in the *Edition* at *Antwerp*, which is the beſt, *viz. Anno* 1633, it is in the *Body* of the *Council. Seſ.* 24. *p.* 450, 451.

It here occurs to my thoughts, to entertain yours out of *Hoornbeck's Examen bullæ Papalis*: Printed *An.* 1652. where in *p.* 42. ſpeaking of the *French* Embaſſadors claiming the Honour of ſitting before thoſe of *Spain*, he ſaith, *uti apparuit in Oratorum Galliæ Regis Carol.* 9. *proteſtatione in Concilio Tridentino factâ* An. 1563, *quando ſecus fieret, & Oratores Hiſpan. Regis poſt Imperatoris, locum Caperent primum: Cujus omnem Culpam in ſolum rejiciebant PapamPium* 4*tum, Cujus, aiebant, imperium detrectamus, quæcunq;*

ſunt

ſint ejus judicia & ſententiæ, reijcimus, reſpuimus & contemnimus. Et quanquam, Patres Sanctiſſimi, veſtra omnium Religio, vita & eruditio, magnæ ſemper fuit & erit apud nos auctoritatis; cum tamen nihil a vobis, Sed omnia magis Romæ quam Tridenti agantur, & quæ hic publicantur magis Pij 4ti placita quam Concilij Tridentini decreta jure exiſtimentur, denunciamus & proteſtamur, quæcunque in hoc conventu, hoc eſt, toto Pij nutu & voluntate decernuntur & publicantur, ea neque Regem Chriſtianiſſimum probaturum, neque Eccleſiam Gallicanam pro decreto œcumenici Concilij habituram. Interea quotquot eſtis Galliæ Archiepiſcopi, Epiſcopi, Abbates, Doctores, Theologi, vos omnes hinc abire Rex Chriſtianiſſimus jubet, redituros ut primum Deus opt. max. Eccleſiæ Catholicæ in generalibus Concilijs antiquam for-

mam & libertatem reſtituerit; Regi autem Chriſtianiſſimo ſuam dignitatem & Majeſtatem.

And he afterward in *p.* 191. deſires that after thoſe words *dignitatem & Majeſtatem*, may be *added*, what followeth among the *addenda*, there to his foregoing work, viz. *In concilio Tridentino vehementer illa inter Gallos & Hiſpanos agitabatur Contentio de præcedentiâ: Non ſolum illis primum à legato Imperatoris locum petentibus, ſed & nolentibus ut Orator Hiſpani Regis alio quo ſingulari loco ab illis ſederet, ſed ordine poſt eos: aliter ſe proteſtari, non adverſum legatos, aut Philippum Regem, aut Concilium, aut Eccleſiam Romanam, ſed adverſus ipſum Papam Pium, 4tum, non pro legitimo illum habentes Papâ, & provocare ſe ad Concilium aliud liberum in Galliâ Cogendum.*

Ubi

Ubi illud facetum accidit, quod quando adverſus Oratoris Gallici expoſtulationem, diceretur cum Scommate, Gallus Cantat, *hic Concinne protinus reſpondit, Vtinam illo Gallicinio Petrus ad reſipiſcentiam & fletum excitaretur. Illàque cauſa poſtmodum Gallis fuit inter alias quo minus Concilium Tridentinum in Regno & Eccleſiis Gallicanis, vel ejus publicatio admiſſa fuerit.*

This Book of *Hoornbeck*, was Printed at *Utrecht*, and the *Papal Bull* on which it very Learnedly Animadverts, is that by which the Pope endeavour'd to Abrogate the Peace of *Munſter*.

But to go on with my Aſſertion of the *Non-reception* of the *Council* of *Trent* in *France*, I ſhall acquaint you that another conſiderable *Author*, Namely, My Lord Primate *Bramhal*, who was

was an Exile in *France*, in the time of the *Vſurpation*, and whoſe obſervation penetrated as far into the Conſtitution of the *Gallican* Church, as either *F. Creſſy*'s or any Mans elſe, having in *p.* 284. of his *Juſt Vindication of the Church of* England, ſpoke of the *Trent* Council, ſaith, 'We have ſeen here-'tofore how, the *French* Embaſ-'ſador in the Name of the King 'and Church of *France*, proteſt-'ed againſt it, and until this 'day, though they do not op-'poſe it, but acquieſce, to a-'void ſuch diſadvantages as 'muſt enſue thereupon, yet 'they never did admit it. Let 'no Man ſay that they rejected 'the Determinations thereof on-ly in point of Diſcipline, not of Do-

'Doctrine: For the ſame Cano-
'nical Obedience is equally due
'to an acknowledged General
'Council in point of Diſcipline,
'as in point of Doctrine.

Monſieur *Jurieu* in his *Hiſtorical* Reflections on Councils, and particularly on that of *Trent*, which were Tranſlated into *Engliſh*, and Printed in the *year* 1684. Saith that *the* French *Kings their Parliaments and Biſhops diſlike ſeveral things in the Decrees of the Council of* Trent; and mentions as the *Reaſons* why the *Council of Trent* is not *received* in *France*, theſe following. 1. 'That the Coun-
'cil hath done and ſuffered
'many things that ſuppoſe and
'confirm a Superiority of the
'Pope over Councils. 2. It hath

'hath confirmed the Papal en-
'croachments upon ordinary's
'by exemption of Chapters,
'and priviledges of Regulars,
'who are both withdrawn from
'Episcopal Jurisdiction. 3. That
'it hath not restored to the Bi-
'shops, certain Functions ap-
'pertaining to their Office
'and taken from them, other-
'wise than to execute them as
'delegates of the See of *Rome*.
'4. That it hath infringed the
'priviledges of Bishops, of be-
'ing Judged by their Metrapo-
'litan and Bishops of Provin-
'ces, by permitting a removal
'of great Causes to *Rome*,
'and giving Power to the Pope,
'to Name Commissioners to
'Judge the Accused Bishop.
'5. That it hath declared, that
neither

'neither Princes, Magiſtrates 'nor People, are to be conſul- 'ted in Setling and placing of 'Biſhops. 6. That it hath Em- 'powered Biſhops, to proceed in 'their Juriſdictions by Civil 'pains, by Impriſonment, and 'by Seiſures of the Temporal- 'ties. 7. That it hath made Bi- 'ſhops the Executors of all Do- 'nations, for Pious uſes. 8. 'That it hath given them a 'Superintendency over Hoſpi- 'tals, Colledges, and Fraterni- 'ties, with power of diſpoſing 'their Goods, notwithſtanding 'that theſe matters had been al- 'ways managed by Lay Men. 9. 'That it hath ordained, that Bps. 'ſhall have the examining of 'all Notaries Royal and Impe- 'rial, with power to Deprive

or

'or Suſpend, notwithſtanding
'any Oppoſition or Appeal.
'10. That it hath given power
'to Biſhops, with conſent of
'two Members of their Chap-
'ter, and of two of their Cler-
'gy, to take and retrench part
'of the Revenue of the Hoſ-
'pitals, and to take away feu-
'dal Tithes belonging to Lay-
'Men. 11. That it hath made
'Biſhops the Maſters of Foun-
'dations of Piety, as Churches,
'Chappels and Hoſpitals, ſo as
'that thoſe who have the Care
'and Government of them, are
'obliged to be accountable to
'the Biſhops. 12. That in con-
'firming Eccleſiaſtical Exemp-
'tions, it hath wholy aſcribed
'to the Pope and Spiritual
'Judges, all power of Judging
the

'the Cauſes of Accuſed Biſhops,
'as if Soveraign Princes had
'loſt the right they had over
'their Subjects, as ſoon as they
'became Eccleſiaſticks. 13. That
'it hath empower'd the Ordina-
'ries and Judges Eccleſiaſtick,
'in Quality of Delegates of
'the Holy See, to enquire of the
'Right and Poſſeſſion of Lay-
'Patronages; and to quaſh and
'annul them, if they were not
'of great neceſſity and well
'founded. 14. That in Prohi-
'biting Duels, it had declared,
'that ſuch Emperor or Prince,
'as ſhould ſhew favour to Du-
'els, ſhould therefore be Ex-
'communicated and Deprived
'of the Seignory of the place
'holding of the Church, where
'the Duel was fought. 15.
That

'that it hath permitted the 'Mendicant *Fryars* to poſſeſs Im-'moveables. 16. That it hath or-'dained an Eſtabliſhment of 'Judges it calls Apoſtoles in all 'Dioceſes, with Power to Judge 'of Spiritual and Eccleſiaſtical 'Matters, in prejudice of the 'Ordinary. 17. That it hath 'declared, that Matrimonial 'Cauſes, are of the Churches 'Juriſdiction. 18. That it hath 'enjoyn'd Kings and Princes to 'leave Eccleſiaſticks, the free 'and entire poſſeſſion of the ju-'riſdiction granted them by the 'Holy Canons, and General 'Councils, that is to ſay, uſur-'ped by the Clergy over the 'Civil Power. Theſe are the 'Principal Points Diſputed in 'France: Theſe that tend to the Dimi-

'Diminution of the Authority 'and Priviledges of Biſhops, to 'enlarge the Roman power, 'are Rejected by the Biſhops: 'And thoſe that would extend 'the power of Biſhops to the 'Prejudice of the Civil Autho-'rity are Rejected by the Par-'liaments. Between both, this 'Council, as enacting contra-'ry to the Rights and Liberties 'of the *Gallican* Church, was 'never at all received in *France*, 'ſo as to obtain the force of 'a Law. He then ſhews, that the *Popes* Superiority over *Councils*, is a *point* of *Doctrine*, and was decided in the Council of *Trent*: And yet that the *Gallican* Church *believes* the *contrary*. 'I know it will be ſaid '(ſaith he) that the Council of

'*Trent* hath not decided, 'that the Pope is Superior to 'Councils. Men may talk as 'they pleaſe; but things for all 'that, will continue as they 'are. It is true, that among 'the Decrees and Canons of the 'Council, there is none that 'ſaith in expreſs Terms, that 'the Pope is Superior to Coun-'cils, and can be judged by 'none: But the effect of ſuch 'Deciſion is apparent in all 'the Acts, and through the 'whole Conduct of this Coun-'cil. And he afterward ſaith, that the *Clauſe* of *proponentibus legatis*, was a plain *Deciſion* of the Popes *Superiority* over the *Council*.

But to theſe 18 *Reaſons* of Mr. *Jurieu*, about the Recepti-

on

on of the *Trent* Council in *France*; being neither practicable nor practised; I might add, that, according to what my Lord Primate *Bramhal* observes in another place of that Book of his, I Cited before, *the Obedience promised to the Bishop of* Rome, *as Successor to St.* Peter *and Vicar of Jesus Christ, pursuant to the* Trent *Council, may seem to quadrate but ill with the liberty of the* Gallican *Church, to set up a Patriarch.* For in *p.* 194. of that *Book*, he mentions that *in Cardinal* Richelieu's *Days it was well known, what Books were freely Printed in* France, *and publickly sold upon* pont neuf *of the lawfulness of Erecting a new, or rather restoring an old proper Patriarchate in* France, *as*

one of the liberties of the Gallican *Church*: And thereupon ſaith, *It was well for the* Roman *Court, that they became more propitious to the* French *Affairs*.

And if we conſider how in the 22*d. Seſſion* of the Council of *Trent*, *Chapter* the 11*th.* all Kings and Emperors are *Anathematized*, who hinder any *Eccleſiaſticks* from the Enjoyment of any of their *feudal* Rights, or other profits; and that it might well be ſuppoſed, that the Courſe and Viciſſitudes of time would put Roman Catholick Princes on ſomewhat of that Nature, and which ſo eminently influenced the *French* King in the *Munſter* Treaty; none need wonder at the *Trent* Councils not being received in *France*.

There

There was a Book called *a Review of the Council of* Trent, written by a Learned Roman-Catholick, and Printed *A.* 1600. and *Tranſlated* by Dr *Langbain* and Printed at *Oxon* 1638. The *Author* is believed by *Rivet* in his Anſwer to *Coeffeteau*, and by *Langbain*, to be *William Ranclin* Dr. *of Laws, fiſcal Advocate in the Court of Aydes at* Oua in *Henry* the 4*ths.* time, and afterward *Attorney General* in the Soveraign Court of *Aydes* at *Montpellier*, In *ch.* 1. *p.* 11. of the Tranſlated Book he tells us, *that being at Court, he ſaw many earneſt Suits Exhibited to the* French *King, in behalf of the Pope, for the receiving that Council; and ſuch as had been made to the preceding Kings; but which*

they would never grant, nor allow the publication of what they conceived so dangerous to Church and State.

And in *ch.* 2. he gives us several Instances, which were made to the late Kings, for receiving the *Council* of *Trent*. *Charles* the 9th. *was moved by the Embassadors of Pope* Pius *the* 4th, *the Emperor and King of the* Romans, *the King of* Spain, *the Prince of* Piemont, *soon after the year* 1563. *to Publish that Council. The King said, he would have the Advice of his Lords*: *But it was Determined by them, that he should not hearken to their Requests. That in the year* 1572. *when Cardinal* Alexandrino *knew the Popes Nephew came out of* Spain *into* France,

France, *with Commiſſion to reinforce the Suit to* Henry the 3d. *both the Pope and the Clergy urged him to publiſh it; but nothing was done. The Requeſt was renewed by the Clergy at* Blois, *and eſpecially by* Peter Eſpinoc *Archbiſhop of* Lions, *in the year* 1576; *but without any effect.*

The Requeſt was renewed by the Aſſembly of France, *Aſſembled at* Melun *in July* 1579. *The Speaker was* Arnalt *Biſhop of* Bazas. Nicholas Angelier *Biſhop of* Brien, *made the like Inſtance to the ſame King,* Oct. 3. 1579. *and again* July 17. 1582. Renald *of* Beaune, *Arch-Biſhop of* Bourges, *and Primate of* Aquitaine, *Delegate for the Clergy, made the ſame Requeſt at*

Fountain-Bleau ; *but all in vain.*

In the beginning of A. 1583. *A* Nuntio *came from the* Pope *into* France *to* Henry *the* 3d. *but could not ſtir him from his purpoſe : and in a Letter to the King of* Navarre Henry 4. *who afterward Succeeded him, he proteſts, that it was never in his thoughts to admit of it.*

November *the* 19th. 1585. *the aforeſaid Biſhop* Nicholas Angelier *renews this Requeſt very earneſtly to the King ; and another Aſſault is made on him* October 14. 1585. *by the Biſhop and Earl of* Nayan, *who in his Speech is very Confident, that the Council of* Trent *was guided by the Holy Ghoſt.*

He adds, *though it was not received,*

ceived, yet several things in that Council, especially what concern'd the Clergy, were inserted in the Canons of some of their Provincial Councils held in France, *at* Rohan. 1581, *at* Bourges 1584. *at* Tours 1585. *and at* Aix *in* Provence *the same year.*

One of the Kings Lieutenants General for the Administration of Justice, in an Assembly of the States particularly, An. 1588. *makes a Suit to the King to publish the Council; but to no purpose; Nay more, The King did not receive so much as those very Decrees of the Council, which were no way Repugnant to the* Gallican *Liberties. However, Suppressing the Name of the Council, they Decreed the very same things at* Blois, An. 1579.

But

But after all that this Author hath mentioned of the *Parliament* at *Blois*, Decreeing the ſame things in the *year* 1579. that were agreeable to the *Canons* of the Council of *Trent*, and of the fruitleſs Requeſt of the *Arch-Biſhop* of *Bourges* in 1582. and of others afterwards for the Reception of that *Council*, I cannot but call to mind that *Thuanus Hiſt. Tom.* 4. *lib.* 94. *p.* 388. *Edit. An.* 1620. tells us, that in the *year* 1589. the ſame *Arch-Biſhop* of *Bourges* in a *Convention* of the *Eſtates*, did among other things propoſe, *ut Concilio Tridentino tradita diſciplina ab omnibus recipiatur*: But nothing was done; and the *Speech* of the *Arch-Biſhop* and ſome

ſome others made in that *Convention*, are by *Thuanus* called, *Orationes intempeſtivæ*.

And I might add, that the *Author* of the *Inventoire General des affaires de* France, from the *Death* of *Henry* the 4*th*. to the *year* 1620. tells us, that in the *year* 1615, on the 19*th*. of *February*, the *Clergy* Deputed the *Biſhop* of *Beauvais*, to pray the *third Eſtate* to agree to the *publiſhing* the *Council* of *Trent*: And that Monſieur *le Preſident Miron*, in the Name of the 3d. *Eſtate*, Replyed, *that they could not at preſent receive that Council*: *The* which agrees with what I have before alledged contrary to the Meaſures of *Creſſy*; and as doth likewiſe the *Popes* iſſuing out a *Breve* to the *Cardi-*

Cardinal of Joyeux, An. 1605. and mentioned in the *Memoirs* p. 391. after the *Hiſtoire du Cardinal Duc de Joyeux par le Sieur Aubery Advocat en Parlement & aux Conſeils du Roy*, Printed at *Paris An.* 1654. and in which *Breve*, the *Pope* deſires that *Cardinals* earneſt endeavours for the introducing the *Conſtitutions* of the *Council* of *Trent* into *France*; and acknowledgeth the *Difficulty* of that *Work*; but withal addeth, that *he confideth in the Cardinals Induſtry, as to the Labouring that point*, and ſaith, that he had Writ to *Hen.* the 4*th.* about it. And *p.* 931. there is another *Breve* of the *Pope* to that *Cardinal*, *A.* 1615. which beginneth thus, *Venerab. Frater noſter. Salut. & apoſtol. benedict.*

nedict. Planè dicere poſſumus, expectavimus pacem & ecce turbatio: Superioribus namque diebus ſpem non levem conceperamus, fore ut SSti Concilij Tridentini decreta in Galliâ reciperentur, & dum animum noſtrum varietate & multitudine paſtoralium Sollicitudinum penè oppreſſum Sublevare hoc Solatio curabamus, repentè ad nos allatum eſt quod 4to Nonas Febr. in publico conventu iſthic attentatum fuerit in detrimentum ſuprem æ Authoritatis hujus SSt æ Apoſtolicæ ſedis, &c. And where he afterward complains to this effect, that the *King* (*i. e.* H. 4.) had ſeveral times *abuſed* him with *promiſes* and *pretenſions* that he would *publiſh* the *Council* of *Trent*; but that nothing came of it.

If

If then any one will yet ſay, that the *French Clergy* not being able in the *year* 1615, to engage the 3*d*. *Eſtate*, to agree to the Publiſhing the *Trent* Council, did then Publiſh it themſelves, I ſhall leave him to conſider both the Nature and the Event of ſuch an Invaſion of the *Regal* Rights, and ſhall further acquaint him, that according to the ſaying of, *De facto factum poteſt de facto tolli*, he may if he pleaſeth, conſult the *Publication* of the *Peace* Relating to the *French King*, and the *Prince of Conde* firſt Prince of the Blood, *Publiſhed* in the *Town* of *Loudun*, the 14*th*. of *May A*. 1616. and where he will find the 5*th*. and *th*6. *Articles* to be as followeth, *viz*. 5th. *That the Autho-*

Authority of the French *church be observed, and no allowance or Permission be granted for any Encroachment upon the Rights, Franchises and Liberties of the same. AGREED UNTO.* 6th. *That, that which was made by the Clergy for the Publication of the Council of* Trent, *without the Authority of the King, be Repaired and Amended, and all such things formerly done in the Estate, be Reformed. AGREED UNTO.*

Yet if any one wants further Confirmation, from Authorities about the *Trent* Council not having been *received* in *France*, I may send him to the *Synopsis of Councils*, Writ by Dr. *Prideaux*, sometime *Regius Professor* of *Divinity* at *Oxford*, and afterward Bishop of *Worcester*,

ceſter, where the Biſhop Writing Chap. 5. and p. 29. of the *Trent* Council, ſaith, *This Council cryed up by ſo many Acclamations, and ſo Solemnly Confirmed by the Seal of of the Fiſher, the* French *admitted not.*

But after all this ſaid of the *Council* of *Trent's* not having been *Publiſhed* and *Received* in *France*, if either by the *Government* or *Clergy* or *Laity* there, any of the *Religionary* or *Doctrinal* points of *Faith* contained in that *Council*, are inwardly believed, and openly profeſſed, I *leave* them and all Mankind to the Exerciſe of the *Liberty* wherewith *chriſt* hath *made them free*; and will ſuppoſe, that if after all the Old *Proteſtations* of the *Government* a-

gainſt

gainſt that *Council*, Roman-Catholicks in *France* having found the *Doctrinal* Points of their *Faith*, that were *Stated* and Determined by former *General* Councils, to be more fully and clearly made out in the *Tridentine* one, did *profeſs* the belief of the ſame, and did refer to that *Council*, when they would give an *exteriour* Account or *Reaſon* of *their Faith*; and did think themſelves obliged for the ſupporting the *Unity* of the Roman-Catholick Church, to profeſs the ſame *Doctrinal* Points with theſe Countries, where that Council had been received and publiſhed: I will make this Charitable Conſtruction, that they did and do intend no more Diminution of the

Regal Rights and *Liberties* of the *Gallican* Church thereby, than the Nations of *Europe* did intend a Diminution of their *Freedom*, by receiving any part of the *Civil* Law of *Rome*, and ſtill continuing the Uſe and Authority of the ſame in their Commerce, and in the Interpretation of their publick pactions, and of the *Jus gentium:* Nor than the *Romans* did intend to leſſen the *Rights* of their Government, by taking their *Law* of the *twelve Tables* from *Athens*, nor their *Maritime* Law from *Rhodes*; and no more than our *Roman-Catholick* Anceſtors did intend a *Subjugating* of our Laws to the Popes *Canon* Law (againſt ſeveral parts of which, they openly

penly proteſted) by the receiving of ſome other parts of it, they thought agreeable to the good of Church and State; or than the Government at preſent intends any *Recognition* of *Foraign* Power, by any parts of the *Civil* or *Canon* Law, being ſtill incorporated in our Laws, and continuing here to be a part of the *Lex terræ QUOAD* certain cauſes Eccleſiaſtical or Maritime.

And indeed it muſt be acknowledged, to be for the Honour of the *Trent* Council, that in *France* and ſome other Countries, where it hath not been *received* and *publiſhed*, its Doctrinal *Definitions* have yet got ground in the Belief of many Roman-Catholicks, on the ſup-

poſed Merits of the things themſelves therein contained; and as it hath been for the Reputation of ſome things in the *Civil* or *Canon* Law, that on their being thought reaſonable, our *Laws* have *Adopted* them as their own.

But as with all due *Tenderneſs* to all my fellow Chriſtians in *France* or elſewhere, whether *Lay* or *Clerical*, I forbear to Cenſure or Reproach them in my moſt Secret Thoughts, for Embracing the Belief of any ſuch *Tenets* as may be called *Religionary*, though taken up from *Trent* by them, after they have uſed all the due means for the finding out Truth in the ſame (and do moſt earneſtly pray, that God who hath been pleaſed in

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Scripture to expreſs his Divine *Philanthrophy* by the *Diſcreet* Love of a *Father*, and the *Tender* Love of a *Mother*, would beſtow the ſame Bleſſings on them, that I wiſh for my ſelf, and my moſt near and dear Relations) ſo I ſhould have been glad to have found the like Spirit of Charity Breathing in the *Acts of the* French *clergy* with Relation to their Chriſtian *Brethren* differing from them in points *Religionary*, inſtead of pronouncing their breach made with them, to be founded only on *Calumnies*, after the *Paſtoral Advertiſement* of that *Clergy* to them in the *year* 1682, and inſtead of affording them their Compaſſion for not being able in the *three* following *Years*, to

receive that *Faith* of that *Trent* Council, which I account from the *year* 1564. the time of its *Confirmation* to *this* Day, not to have been *Publiſhed* or *Receiv-ed* in that Kingdom, and whoſe *Publication* may be ſaid to be there yet, but (as it were) *in abbeyance*, and inſtead of fur-ther charging them as *Calumni-ators*, becauſe of the things Writ againſt the *Romaniſts* by our *Whitaker* and *Downham*, a hardſhip I have obſerved com-plain'd of in ſome late *Writings* of the *French* Proteſtants.

But the *great* Royal *goodneſs* of our Gracious *King*, and the fervent Zeal and Charity of the preſent *Divines* of *England*, have made them an *amends* for what they ſuffered on the account of

thoſe

thoſe our former great *Clergy-Men.*

Yet muſt it be acknowledged, that in one point that *Clergy* in their *Petition* to the *King*, doth the *Huguenots* this Juſtice as to ſay *the pretended Reformed, how great ſo-ever their Blindneſs is, are not arrived to that height of Folly, as to maintain their lawful practice of the Crimes of Imputations and Calumny.*

And I am glad that ſince the 2*d.* of *March.* 1679. ſo much occaſion hath been given by the *Popes* Condemning the *Tenets* of the *Jeſuits*, about the Doctrine of *CALUMNY*, and their *Sicarious* Principles, for the not charging them on the *Church* of *Rome*, as *approved* by it as formerly. But on the ac-

count of the Horrid *Calumnies* againſt *Fathers* and *Councils*, ſtill continued in the *Decrees* of the *Canon* Law, and *forged* with as much *Falſhood* as any could have been by the *French* Clergy obſerved in the *Caſe* of the *pretended Reform'd*, as I have particularly enough ſhewn in the *Caſe* of *Cyprian* I may well urge it as an *Argumentumad hominem*, that neither the *Pope* nor *French* Clergy, ſhould have been Authors of too much Severity to thoſe Reformed, on the *pretence* of their *Calumniating* the *Doctrine* of their Church: And have been careful not to charge on the *Catholicite* (as the Term is) the Falſhood of *Gratian*, and the *lacheſſe* of the *Popes*, that ſo long ſuffer'd ſo much

Trompery

Trompery in him to paſs for Law: And were I at *Rome now*, while the *Pope* is ſo worthily buſy'd in ſtrengthening the preparations againſt the *Turk* in this Conjuncture, would not divert him from the ſame, by importuning him to make a better *Canon* Law for his Flock. Nor do I charge on the *Gallican* Church or State, what I have mentioned out of *Boerius*, a *Preſident* of *Parliament* there: If they hoped by the publication of their *Book* in *France*, to effect a *Reconciliation of Churches* there, or the *Tranſlators* of it any ſuch thing by their Printing it here, much good may their Deſign do them: But it ſeems an untoward way of beginning a Reconciliation by *giving* the *lie*,

lie, or accuſing the pretended Reform'd of *Calumnies and Falſities*. But the *Author* of the *Papiſt Repreſented and Miſrepreſented*, hath outdone the *French* Clergy in Civility of Expreſſion to Proteſtants, and by rendring them only *Miſrepreſenters* of the Church of *Rome*.

Yet ſince both theſe *Books* do agree in *Repreſenting* Roman Catholicks as owning the Doctrine of the *council* of *Trent*, I *ſtanding faſt in the Liberty* I have, not to be impoſed on by thoſe Doctrines, intermeddle not here with others liberty, to own any Religionary *Tenets* of the ſame.

And our Excellent and Learned Clergy-Men will no doubt, both by Preaching and Writing

ting occaſionally, ſecure the Souls of their Congregations, from any danger that they ſhall apprehend from any of the *Papal* Clergy, propagating ſuch *Tenets* among them.

But here I ſhall occaſionally ſay, that I think that few of the *Religionary* or Doctrinal *Tenets* of the Council af *Trent* either do, or in the time of our *Fears* and *Jealouſies*, have ſo much Animated the Averſion of many of the *Populaæ* here againſt that *Council*, as their apprehenſion of the *exterminium* of *Hereticks* deſigned long ago by the calling of that *Council*. The benefit of the peace, and reſt the *Proteſtants* had obtained by the *Interim*, *A.* 1548. and its *formula inter-religionis*, was but

but to last to the end of the Council of *Trent*: And I have some where met with *John Paul Windec*, cited for boasting in his *Book, de Hæretic. extirpand.* that *nothing was accorded for the Protestants by that Edict* or *Formula*; but a *Dilatory Reprieve and Toleration, till the end of that Council.* And moreover we know, that in that *Council* there is an express *Confirmation* of former *General Councils*, and of the Terrible *Lateran* one in particular. For though you mention some *Popish* and *Protestant* Writers as denying the *Lateran* Council to have been a General one, and that *Protestant Authors are somewhat put to it, who would prove it so* to have been, yet if you had con-

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ſidered what the *Biſhop* of *Lincoln* in his firſt *Book* about *Popery* ſaith in *p.* 51. that *the Council of* Trent in *Seſſ.* 24. *cap.* 5. calls that *Lateran one a General Council, and confirms one of its Canons*; you would have thought it a very eaſie task, to have ſatisfied any *Reverers* of the *Council* of *Trent*, with the others having been a general one. And the *Trent* Council having, as that Learned *Biſhop* ſhews there in *p.* 43. *Commanded Emperors, Kings and Princes to obſerve the Sacred Canon, and all General Councils and Apoſtolical Sanctions in favour of Eccleſiaſtical Perſons, and the Liberties of the Church*; and where the *Title* to the *Chapter* is ſaid to be, *Cogantur omnes Principes Catholici*

lici conſervare omnia ſancita,&c. and thoſe words which in *p.*57. the *Biſhop* refers to the Council of *Lateran* for, *viz. Catholici qui Crucis aſſumpto charactere ad hæreticorum exterminium ſe accinxerint, illâ gaudeant indulgentiâ quæ accedentibus ad terræ ſanctæ ſubſidium Conceditur*, and that *Councils* having ſo threatned Princes with *Depoſition*, and the *abſolving* of their *Subjects* from their *Allegiance*, in Caſe they do not Exterminate Hereticks, hath really been the moſt Conſiderable and *operative* Objection that any Proteſtant *Writers* have brought to ſhew the dread of that *part* of the *Principles* of *Popery*, that you term *Irreligionary*: And few of the *Writers* againſt the ſame, in our late

late *Fermentation*, but *inſtanced* in that *Objection*: And to which none of the Roman Catholick *Writers* then that I read, did Attempt to apply the leaſt Anſwer.

The *Author* of the *Compendium* (whom you mention with the Title of *Ingenious*) doth there in *p.* 79. tell us, *That there is not one ſingle Paragraph in that Book of the Biſhops; but what was either fully Anſwered, or what doth not at leaſt wound the whole Proteſtant Party by its Conſequence more than us:* But was ſo *Ingenuous*, as to anſwer not a word that I can find there, to the *Objection* of the *Lateran* Council, and which omiſſion in him proceeded not from inadventence; for in that one leaf where

where he insinuates, *that he hath fully Answered the Bishops whole Book*, he tells us twice, that *no Council ever imposed* the *Deposing Power on our Belief*. And I observed, that my Good and Learned Friend *Father Walsh*, where in the *Preface* to his *Causa Valesiana*, printed in the year 1682. he endeavours to answer that *Book* of the *Bishop*, did not think fit to take notice of the *Objection* of the *Lateran* Council.

But after your common way in all your *Writings* I have seen, namely to fortifie Objections, before you answer them, thus (as I may say) to Deck and Crown the *Victim* you intend to offer to the World, as I find you have done right to the considerableness of this of the *Lateran*

teran Council, and have in your diſcourſe Termed that Learned *Biſhops* Book both *unanſwered and unanſwerable*, it is by all *Ingenious* and Loyal *Proteſtants* and *Papiſts*, to be acknowledged to you, that you are the only Perſon, who hath appeared in Print, to give the *Objection* the *Anſwer* that it will bear; and for which none I believe will thank you more than that excellent *Prelate*. For after you had taken the freedom in your *Introduction* or *Preface*, to Reflect as you have done on *Arch-Biſhop Uſhers* Prophecy, and the *Predictions* of *Biſhop Morly*, you with great Curioſity ſet forth the *factum* of the *Munſter Peace*, whereby the Age may learn, that as *with God*,

all things are possible, so by his having influenced the understandings of *Roman-Catholick Princes*, and by their having shewed much better than by Words, I mean, by their *pacta Convenia* really observed, that they think not themselves obliged by the *Lateran* Council, and the *Deposition* there threatned to exterminate their Heretical Subjects, and you Candidly shew the *Artifice* of the *Objection* in a great Measure answered by the *God* of *Nature*, and by Natural Causes inclining the great *Roman-Catholick* Crown'd *Heads* of *Christendom* to permit the dire passages in that *Council*, to be in a manner *Abrogated* by *Desuetude*.

You have fairly related it, how

how the Roman Catholick *Princes* agreed in their *Treaty*, that no *CANONS* or *DECREES* of *COUNCILS* or *ABSOLUTIONS* whatſoever, ſhould in future times be *allowed* againſt any *Article* of it, and conſequently that the *Canons* or *Decrees* of that *Council*, Threatning *Princes* with *DEPOSITION*, and the *Abſolving* of their *Subjects* from their *Allegiance*, for the not *Exterminating* their *Heretical* Subjects from their *Allegiance*, were by all thoſe Roman-Catholick Crown'd Heads, *Contemned* and *defy'd*; and you have ſhewn how the *Papacy* hath ſince *Acquieſced* therein, and ſince *lex currit cum praxi*, and that *Peace* hath been ſo long

obſerved, your account of it hath been of much more Importance to the *Papiſts*, as to the helping to *bring* them *off* in ſome Meaſure from the *Odium* of the Diſloyal Doctrine of *the DEPOSING Power*, than any thing ſaid by their *Writers* hath been, and no doubt but when any more ſuch cloſe Attacks ſhall be made upon them by our Writers, as have been ſince his *Majeſties* Reign, to charge the Allowance of the *Depoſing* Power on their *Church*, they will not neglect to Crave Aid from what you have ſaid in that your *Hiſtorical* Account of that Peace.

I aſſure you it was no eaſie Task to give ſo Critical and ſo Impartial an account of the *fa-*

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ſum of that *Peace*, as you have done, and ſo much for the Advantage of the *Papiſts*, and whereby you have Merited much more from them, than their Favorite of our Church, Dr. *Heylin* did by Writing of the *Outrages* that accompanyed the *Reformation*. And your occaſional rectifying the Miſtake of a conſiderable *Writer* of the Church of *Rome*, and of ſuch another of the *Church* of *England* here in the Negotiation of that peace, hath ſhewed the Niceneſs and Difficulty of ſtating it exactly as you have done.

The Author of the *Nouvelles de la Republique des Lettres*, for the Month of *November* laſt paſt, giving an account of Dr.

Burnets 2d. *Part* of the *Hiſt.* of the *Reformation*, being Beyond-Sea lately Printed in *French*, doth there in *p.* 1250 give the World a freſh view of the *Horrour* of the *Lateran* Council. by rendring our *Queen Mary* as prompted by that *Council*, to the Perſecution of her Proteſtant Subjects.

But you having in your *Diſcourſe* with the Exquiſite Artifice of *Oratory*, mentioned ſome Paſſages in her *Reign*, not commonly known, and that on the Foundation you lay'd ſo low in the Rubbiſh of her Reign, you might with more Advantage ſupport the whole *Super ſtructure* of your Judging that any *Roman Catholick* Prince that ſhould inherit the Throne here,

here, would perfectly Decline her *politicks*, and likewiſe in your *Preface* particularly fortified the Minds of People againſt the Fears and Jealouſies of ſuch a *Prince*, that might be Occaſioned by the *Lateran* Council, did very ſeaſonably thereby advance the meaſures of *Loyalty* and Mens more chearful adherence to the *Lineal* Succeſſion.

And the Truth is, that among the many *Pamphlets* Writ, with moſt Artifice and ill apply'd Learning *ad faciendum populum*, and to pervert them to the *Excluſion*, I obſerving the *Lateran* Council ſo much inſiſted on, cannot but Judge your undeceiving them in that point, to have been the more

neceſſary. The *Pamphlet* you ſhew'd me in 4*to*, Pr for *Janeway* in the *year* 1681. and called *A Moderate Deciſion of the Point of Succeſſion, humbly propoſed to the conſideration of the Parliament*, doth harp much on that Council: And another *Pamphlet* Printed in the ſame year for the ſame Perſon, and called *The Caſe of Proteſtants in* England, *under a Popiſh Prince*, &c. did there among the many Quotations out of the *Canon* Law and *Canoniſts*, *councils*, and Popiſh *Divines* and *School-Men* making for its purpoſe in *p.* 5. and 27. trouble us with the *Lateran* Council, and mentions *Bellarmines* calling it *the Papiſts great and moſt Famous Council.* Your having in your *Diſcuſſion*, ſo

ſo ſucceſsfully combated the obligatorineſs of that *Council* upon *Papiſts*, was of great uſe for the *unblundering* many *nominal* Proteſtants (as your term is) in their fancying it ſo neceſſary for the quiet of *Chriſtendom*, that *Princes* and their *Subjects* ſhould *agree* in the *Belief* of the *Speculative* points of *Religion*, as your expreſſions are, and whereupon you promiſe the Age your publication of the fact of the *Munſter* Peace and its Conſequences, and which promiſe you have in your *Preface*, ſo well and fully perform'd.

The Author of the *Anſwer* to the *Book* call'd, *A Papiſt Miſrepreſented*, doth refer to *Leſſius* his *Diſcuſſio decreti magni Concil. Lateran.*

Lateran. and ſaying that *the Churches Authority would not be maintain'd without the Depoſing Power*, and in *p.* 104. making the *Councils* of *Lateran* under *Alex.* 3. and *Innocent* 3. to be *general* ones. And in the *Reflections on the Anſwer*, nothing is mentioned to deny it. But your having in your *Diſcuſſion* cited Cardinal *Peron*, for having ſo ſtrenuouſly aſſerted that *Councils* being a *general* one, and yet not thinking it *Obligatory* for the *Exterminating* the Perſons of *Hereticks* from *France*, where their number was ſo great, and your having cited *Cardinal D'Oſſat* partly to the ſame effect, and further ſhewing this their Doctrine Incarnate in the *Lives* of ſo many Roman-

Roman-Catholick *Crown'd* Heads and their *Empires* after all the diſmal effects that the contrary practices produced, and that the *Voice* of *Nature* did, in the *Storm* their Country's were in, and when it was ſo neceſſary to have many *Hands*, ſpeak it as plainly concerning Heretical Subjects continuing with them, as St. *Pauls* words were to the *Centurion*, and to the *Soldiers*, viz. *except theſe abide in the Ship, ye cannot be ſaved*, and your ſhewing that purſuant to the *Munſter* Peace they did abide in the *Ship*, and thereby ſaved themſelves and it, was time by you very nobly ſpent, in your helping Men to See, how far *Nature* had by its powerful Hands, effectually delivered

vered People from their *Fears* of the *Lateran* Council, and which time was to much better purpoſe ſpent, than that of ſome Roman-Catholick *Apologiſts*, for any harſh thing *Decreed* by *General* Councils, and ſaying *that they are not declared as* Doctrinal *points, and that the* Decrees *relating only to Diſcipline and Government, come ſhort of being Articles of Faith*, as the *Author* of the *Reply* to the *Reflections upon the anſwer to a Papiſt Miſrepreſented and Repreſented*, obſerves, and as to which he there further in *p.* 54. quotes the *Vindication of Dr.* Sherlocks *Sermon*, for ſaying, *that to Decree what ſhall be done, includes a Virtual Definition of that Doctrine, on which that Decree is founded.*

But

But ſuch little *Arts* the great *Cardinal* you mentioned, forbore to uſe in the point of the *Lateran* Council: And 'tis not *Art* but *Nature*, that can ſatisfie the Curious in this inquiſitive Age, and by the great proſpect of *Nature* you have ſhew'd Men appearing in the *Munſter-Peace*, they will be naturally untaught their *Fears* of that *Council*, now they know its Sting is pluck'd out, what ever *humming* about their *Ears* it may ſtill make by the help of any *Writers*.

The Learned *Author* of *the Seaſonable Diſcourſe* in his other Book of *the difference between the Church and Court of* Rome *conſider'd* in *p.* 21. ſpeaking of the *Lateran* Council, and how his *Roman-Catholick* Antagoniſt had

had *Cited* one *John Biſhop*, who in a *Book* Written in the time of Queen *Elizabeth*, affirmed, that the *Conſtitution* of the *Lateran* Council, on which the whole *Authority* of *Abſolving Subjects from their Allegiance, and Depoſing Princes is* founded, is no other than a *Decree* of *Pope Innocent the* 3*d*, and was never *admitted* in *England*: Yea, that the ſaid *Council* was no *Council* at all, *nor any thing at all there Decreed by the Fathers*, doth in the following *Pages*, ſubſtantially Confute his Adverſary, and ſets up the *Authority* of *Cardinal Peron*, and of the Council of *Trent* againſt that *John Biſhop*, and refers to *Dr.* Vane's *Vindication of the Council of* Lateran, and ſhews how

how and when the *Canons* of that *Council* were *allowed* and *confirmed* in the *National Synod* held at *Oxford*, 1222.

When therefore I conſider how one ſaid, *that Cuſtom having once through Continuance*, Naturalized *it ſelf into any ſublunary things, it is then* (*to ſpeak properly*) *no more Cuſtom, but* Nature; and that *Cuſtom* according to *Galen*, is a kind of *adſcititious Nature*, and that *Origen* tells us, that *of all* Cuſtoms, *none ſtick ſo faſt in the mind, when once ſetled there, and none ſo hard to be wiped and waſhed off as thoſe*, which he calls τὰς περὶ τὰ δόγματα i. e. *the Cuſtoms of Opinion and Doctrine*, be they right or wrong, and have found *Gregory* the *Pope*

Cited

Cited for *aſcribing to Cuſtom a power to make things that are bad in themſelves, to become Juſt and Legal*, viz. *Si pravæ rei aditus antequam diu pateſcat, non clauditur, uſu fit latior & erit conſuetudine licitum, quod ratione Conſtat eſſe prohibitum. Greg. Reg. Epiſt.* P. 7. *Ind.* 2. *Ep.* 120. and do conſider how far, and how long your inſtances were extended of the *Lateran* Council, having loſt its *Nature* by the *Cuſtoms* of *Opinion* and *Doctrine* contrary thereto, obtaining much in the *Papal* World, any Philoſopher or indifferent Man muſt ſay, that you have ſaid *ſomething* of Subſtance, and indeed, the beſt thing that can fairly be ſaid to ſhew Men the vanity and

and *illogicalneſs* of their former fears of Roman Catholick *Princes*, being bound by their Religion to *Exterminate* their Heterodox Subjects, by your ſhewing the *Treaty when*, and place *where* and named the *Year* and *Month*, in which that *Irreligionary* Principle of Popery, was it ſelf *Exterminated* by them; and a *Cuſtom* contrary to the *Lateran* Laws, been there firmly Naturalized, 'Tis ſaid in *Jeremiah* 2. 24. concerning the *Wild Aſs*: *all they that ſeek her, will not weary themſelves; in her Month they ſhall find her*; alluding to the *Hunters* being able to take her *in her Month*, when ſhe was burdened, and ſo near *Foaling*: And the endeavours of the Wife to Hunt

down that Fooliſh and Cruel thing called *Bigotry*, were not ineffectual when its *Month* was come and when it grew ſo Burthenſom to it ſelf; and you have led us to the *Month* in which the Monarch of *Spain* was put to it to Relinquiſh his Right and Soveraignty in thoſe *Provinces*, from whence ſo many Nominal *Hereticks* had been formerly exterminated.

You have in your *Diſcuſſion*, been very kind to the Character of a very *Pious* and *Loyal* Gentleman, on the account of what you had been informed of as to his *Signaliſing* the *Weight* of his *Political* Remarks and *Learning*, as well as of his *Loyalty* (as your words are) by his *Speech* he made againſt the *Excluſion*,

cluſion, and *his inſtancing in ſome Princes and their Subjects of different* Religions, *living very happily together.* But whether you have not over-acted your part of praiſing that performance of his, I am to leave you to conſider; for if that *Speech* of his was truly related in the Printed *Collection of the* Debates *of the Houſe of Commons, at the Parliament held at* Weſtminſter, *on* October 1680. there was nothing to juſtifie the Learning of his *Political* Remarks to the purpoſe you ſpake of, but his ſaying, *that it was no ſuch ſtrange thing, to have the Prince, of one Religion and People of another*; and his inſtancing, that *the late Duke of* Hannover *was a Papiſt, and yet lived in Peace with*

his People, though Lutherans.

It was pitty but on that occaſion, he had open'd the *proſpect* of a larger *Scene*, than what the *Caſe* of the quiet living of that *Duke*, and his *Subjects* could import; and that both he and all the *Speakers* and *Writers* againſt the *Excluſion*, that I took notice of, omitted the referring to the happy effects of the *Treaty* of *Munſter*, that provided for ſo many *great* Popiſh *Princes*, and the vaſt Numbers of their *Proteſtant* Subjects living well together, though yet it happened, that there was an *occaſion* fair enough in all Conſcience, for all Mens taking notice of it, who mind the Affairs of *Chriſtendom*; and that was, that in the firſt *pro-*

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ject or *platform* of *Conditions* of *Peace* made by the *French* King in order to the *Peace* at *Nimeghen*, and in which *project* (as *Dated* at St. *Germans* the *9th* of *April* 1678.) 'tis ſaid expreſly, that *as to what concerns the Empire, that he will inſiſt only on the reſtoring of the* Munſter *Treaties in all their points, and to have them once more to be the means of reſtoring Peace to* Germany; and in the *Peace* between the *Emperor* and the *French* King Signed at *Nimeghen* (and which mentions the *Settlement* of that *Peace*, as Reſulting from the Succeſsful *Mediation* of his *Majeſty* of *England*) there are theſe words in the *Second* Article, viz. *and for as much as the Peace concluded at* Munſter *in* Weſt Phalia, *is*

his People, *though* Lutherans.

It was pitty but on that occaſion, he had open'd the *proſpect* of a larger *Scene*, than what the *Caſe* of the quiet living of that *Duke*, and his *Subjects* could import; and that both he and all the *Speakers* and *Writers* againſt the *Excluſion*, that I took notice of, omitted the referring to the happy effects of the *Treaty* of *Munſter*, that provided for ſo many *great* Popiſh *Princes*, and the vaſt Numbers of their *Proteſtant* Subjects living well together, though yet it happened, that there was an *occaſion* fair enough in all Conſcience, for all Mens taking notice of it, who mind the Affairs of *Chriſtendom*; and that was, that in the firſt *pro-*

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to be the Foundation and baſis *of this preſent Treaty, and publick Tranquillity, the ſaid Peace ſhall from henceforth be reſtored in all and every its points, and remain in full force and vigour, as if the ſame were word for word inſerted herein, except in ſuch points as are Derogated from it by this preſent Treaty.*

And as to that we know, that *exceptio firmat regulam*, and thus too in the *Articles* between the *Emperor* and the *King* of *Sweden*, Signed at *Nimeghen* on the ſame Day with the former Articles. *viz. February* 5. 1679. The *third* Article runs thus, *According to this Foundation of an Univerſal and Unlimited Anneſty, and to the end a more certain Rule of Friendſhip and*

Peace

Peace, may be ſetled between the Parties, it hath been by mutual conſent agreed on between them, that the Peace Concluded in Weſt-Phalia, *ſhall remain the* Baſis, *and Rule of the pre ent pacification in ſuch manner, that it ſhall be reſtored to its firſt Force and Vigour, and inviolably kept hereafter, and continue as it was before the preſent War, a Pragmatick ſanction, and Fundamental Law of the Empire*, &c. And in the *Articles* between the *Emperor* and the *French* King, as likewiſe in thoſe between the *Emperor* and the *King* of *Sweden*, there are ſome to *include the King of* Great Brittain *in the Treaty after the beſt and moſt effectual manner that may be*, and to admit his *Guaranty* for the Execu-

tion and *Performance* of the *Pacta Conventa* herein: And his preſent *Majeſty* hath in the paſt time of his *Reign*, appeared as tender of the *Performance* and *Stabiliment* of them, as of the *Apple* of his *Eye*, and on an Emergent occaſion, was (as I am informed) heard to ſay to a great *Foraign* Miniſter; *but I WILL have the* Nimeghen *Peace OBSERVED*, and with a paralel bravery to that in thoſe words of *Henry* the *Fourth*, you have mentioned; *but* I *WILL have my own.*

Thus is the *Munſter* Treaty, and the Liberty thereby given to *Proteſtants* and *Calviniſts*, both as to the Enjoyment of their *Religion* and their *Eſtates* (and many of which *Eſtates* were

were *Church-Lands*) notwithſtanding *the Popes* Declaration of the *Nullity* of that *Peace* ſupported by his Preſent *Majeſty*, and as I doubt not, but it always will be, as well as by other *Roman-Catholick* Crown'd Heads. And the figure the preſent *French* King made in the *Munſter* Treaty, in the year *Forty Eight*, and in the Reſtauration of its effects, and Vigor in Chriſtendom in the *year Seventy Nine*, is a ſufficient Demonſtration of his thinking it lawful for the *Lateran* Council, to be Diſobey'd by *Popiſh* Princes, as to the point of *Exterminating* their Heretical Subjects.

I do therefore account this your Manly way of *Confuting* the

the *Fears* and *Jealouſies* founded on that *Counſel*, to have been at this time the more opportune, and the more worthy of your *Loyalty*; becauſe (as you have mentioned it after the *End* of your *Diſcuſſion*) *It may ſeem the Deſign of ſome People in the World abroad, to encreaſe our Diviſions, and the popular hatred againſt Papiſts and Popery here, by the uſage that Proteſtants meet with there, as if the Religion of Popery did neceſſarily Cauſe the ſame.* You have therefore well reputed it the *opus diei* here in *England*, to ſhew the contrary, and have done it more effectually, than any late Writer of the Church of *Rome*, I know, here hath done, or perhaps was able to do: And your quoting for

for this purpoſe in p. 208. *D' Oſſats* Speech to the *Pope*, and wherein he ſo Argumentatively both like a *Divine* and a *States-Man*, aſſerted the *Lawfulneſs* of *Henry* the *4th's* of *France* obſerving the *EDICTS* in *favour* of his *Proteſtant* Subjects, and wherein he mentioned how other Roman Catholick *Princes* had done what was *tantamount* to it, and how that the *Pope* made no *Reply* to him thereupon, may much help to ſhew our *Timid* and *Jealous* People, that the *Religionary* part of *Popery* or *Doctrine* of the *Church* of *Rome*, doth not *oblige* Roman-Catholick *Princes* to make the Lives of their Proteſtant Subjects uneaſie to them.

It here falls in my way, to

to acknowledge to you, that the great Inſtances you have given in your *Diſcourſe* concerning the Conſummat *Loyalty* of great numbers of *Henry* the 4ths. *Popiſh* Subjects to him while a Proteſtant, and under the *Popes* Excommunication, have been very uſeful for the enlarging Peoples Charitable Thoughts, as to the Perſons of ſome *Papiſts*, and the tendency of their Principles to *Loyalty*, and to the ſhewing, that though in the Great *Lateran* Council (wherein were 1215 *Fathers*) it was *Synodically* and *Categorically* concluded, that *the Pope might abſolve Subjects from their Oaths of Allegiance*, that yet great *Numbers* of *Henry* the 4ths. *Roman-Catholick* Subjects

Subjects knew, and Practiſed better things, and that their great *Abſolute* and Unconditional *Loyalty* to him, lives in the Records of the Impartial *Thuanus*: And that notwithſtanding any *principles* Chargeable on the Church of *Rome*, the *Faith* of many particular perſons in it hath by its *Works* ſhewn it ſelf very *perfect* for *Loyalty*.

But here I am likewiſe obliged to gratifie you by my *Complaiſance* with your *Temper* in differing ſomwhat in Opinion from you (for you ſay, *you are better pleaſed in Converſation with thoſe who in many points differ from you, than with thoſe who in all agree with you*) and am frankly to tell you, that tho'

I am ſufficiently ſatisfied with your diſcharging of the *Moral* Offices of *Honouring all Men*, and giving *Honour* particularly to ſome *Roman Catholicks* to whom it was due, and particularly where in p. 360. You have with ſo great a Height of Expreſſion Celebrated the *Virtue* of the *Queen Dowager* (and from whom I had the Honour to receive Thanks, by the late *Earl* of *Oſſory* for the Juſtice I did her *Majeſty* in a late *Conjuncture.*) Yet there is one thing at the end of your *Diſcourſe*, and another after the *end* of your *Diſcuſſion*, wherein you are pleaſed to give your Judgment concerning the *Papiſts* here in geral, as I would not have given mine in the Caſe. You ſay in

p. 285.

p. 285. That 'after the Various 'Intervals in which the *Diſ-* '*courſe* was Written, it having 'happened that the *Papiſts* are 'to the General Satisfaction of 'Impartial Judges of Men and 'things, become as ſound a 'part of this Nation, as they 'were and are of the *Dutch* 'States, and as throughout the Diſcourſe you always ſuppoſed them Capable of being, and in *p.* 361. You ſay, 'that 'it is with Juſtice to be by all 'Men to our Popiſh Fellow 'Subjects acknowledged, that 'what ever petulance ſome 'of them were formerly guilty 'of, or of any Ambitious Deſign 'of making too great a Figure 'in the Internal Government of 'the Nation, yet that the De-

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'portment of the Generality 'of them, hath lately appeared 'with such a Face, not only of 'Loyalty, but of Complaisance 'with his Majesties Measures, 'in imploying the Hands and 'Heads of Protestants of the 'Church of *England*, in the 'Management of great Matters 'of State, as is necessarily Attra-'ctive of our Christian Love 'and Compassion, *&c.*

But tho' I account my self Morally obliged to Judge several *Papists* of my Acquaintance to abound in Loyalty, and to be such whose *Moderation is known to all Men*, and to be no Exorbitant Affecters of making too great a Figure in the Internal Government of the Kingdom; and do hope that many others

others are ſo with whom I am not acquainted, and will Judge no particular Papiſt to believe or practiſe *Principles* of *Diſloyalty*, without particular grounds, and tho' on the account of the *Trite* Rule that *Intereſt never lyes*, I will hope that the generality of them will in his *Majeſties* Reign and afterward be neither *Diſloyal*, nor *Heady nor High-Minded*, nor affecters of *Preheminence*: Yet if I were required to give my preſent Judgment in ſhort of the preſent Temper of the generality of them, as to the Qualifications about which you have given your Judgment in the Caſe, and that too relating to future times, I conſidering the *Formulary* of the Letters denoting

Judgment, given in the *Mode* of the Old *Roman* Laws, *viz.* *A.* and *C.* and *N. L.* would not preſume either to *abſolve* or *Condemn* the *groſs* of their Numbers as to thoſe Qualifications; but would interpoſe the *Non Liquet* in their Caſe; and much leſs will I Condemn your Judgment of Charity to them, and ſay, that ſome of your *Sharp* Reflections on *Popery*, and ſome *Papiſts*, have ſavoured of the *Common* way of ſome *Partial* Judges Byaſſed with an intent to *bring off* ſome *Criminals*, Namely, to make ſome diſobliging rough Language previous to the *obliging* them with their *Sentence* at laſt: But taking every thing in the beſt Senſe it will bear, ſhall ſuppoſe that

that your Information of the Temper of the Generality of them, might be what arrived not at my Knowledge, and that therefore you pronounced there of as you have done. And moreover, your *Diſcourſe* being Writ before the Late Kings Death, I ſhall account it was for ſeveral Reaſons, a ſtrengthening of *Loyalty*, and weakening of the Fears of *Timid* Proteſtants, for you both in the *Cloſe* of your *Diſcourſe*, as well as your *Diſcuſſion*, to do the *Perſons* as well as *Tenets* of *Papiſts* all the Juſtice you could.

From your having in that *Diſcuſſion* occaſionally ſo much dilated on the *Moral* Offices of *Loyalty* toour Princes, without reſpect to their *Religion*, and

what ever *Religion* they may profeſs different from that by Law Eſtabliſhed, I ſhall be glad if the thoughts of all his Majeſties *Proteſtant* Subjects, will Receive deep Impreſſions of the *peculiar* Duties we owe to him our Great and Gracious *Soveraign*, particularly *eo nomine*. When ever we *pray* for him at the *Prayers* of our *Church*, or our private *Devotions*, let us think of him, with the *Honour* due to a King, and Gods Vicegerent; Let us not *Slander the Footſteps of Gods Anointed*, in what ever *way* to *Heaven* he hath placed the ſame, nor yet by Reproaches make the few of this great *populous* Nation uneaſie, who as *Viatores* attend him in the ſame way; but be the more

more *Civil* to them, for being part of his retinue therein. Since it is *Rudeneſs* for any Man to be Curiouſly *Inquiſitive* into the *Speculative* points of Religion held by Subjects, it may be thought both that and *Profanation* of Gods more than ordinary Care over the Hearts of Kings, to be prying and intruding into the *Sentiments* of our Soveraign As there are *peculiar* Moral *Offices* that concern Subjects, when the *Prince* is not in the *External* Communion of the ſame *Church* with them, ſo there are ſuch likewiſe incumbent on thoſe *Subjects*, that are in the External Communion of the ſame Church with their *Prince*, and which oblige them particular-

ly to promote the Eaſe and Tranquillity of his Reign.

It having pleas'd God by the Courſe of the *Executive* power of the *Law* in his Majeſties Hands, to free them from many Hardſhips to which they were before liable, and to *put a* great *price into their Hands* (if they *have Hearts to make uſe of it*, and to give them an opportunity by their *Moderation*, and by their *Complaiſance* with his Majeſties Meaſures in the *Defence* and *Supporting* of the Church of *England*, and by their *knowing in this their Day, the things that belong to their Peace*, to compaſs an Univerſal and laſting Tenderneſs in the great *Body* of the *Engliſh* People toward their Perſons, and making

king the *Laws* and the whole *Hive* of the *Engliſh* People to *guard* them, *and the very Anger and Zeal of the Proteſtants to be a Defenſive Wall of Fire round about them*, (as yout words are) it becomes them to contribute to the *eaſe* of his Majeſties *Royal* Cares, by their *being* what you ſay they generally *are*, and by their not *Miſrepreſenting* or *Calumniating* thoſe who are of the *Religion* different from theirs; which yet you have ſhew'd *Father Parſons* predicted they muſt neceſſarily do, and by their not affecting ſuch an exceſſive *internal* Power in the Government, as you ſay in the diſtant Reighnes of ſome of our *Proteſtant* Princes they did.

It concerns them by their Reverently uſing their preſent Temporary Indulgence, to effect for his Majeſty, that in the Caſe of his eaſing their Conſciences and their Eſtates from ſome *Penal* Laws, it may be as was in the *Reign* of *David*, viz. *that whatſoever the King did, pleas'd all the People.*

There is none deſires more than my ſelf, that among the various *Opinions* in Religion all exaſperations againſt each others Perſons, and Miſrepreſentations of each others Doctrines, may for ever ceaſe.

And therefore according to the expreſſions us'd in the *Acts* of the *General* Aſſembly of the *French* Clergy, complaining of *Calumny* publiſh'd againſt *the*

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Doctrine of the Church, and the Faith of the Catholick Church, and their ſeeming there to reſtrain that *Doctrine* and that *Faith*, to the *Deciſions* of the *Council* of *Trent*, and ſuch as are of the Nature with thoſe *printed* in one *Column* apart, I in what I have Written in my private Papers concerning the *Religion* of the Church of *Rome*, have obſerv'd the Meaſures that our great Writer Mr. *Chillingworth* hath done in his *Book* forecited, and where he ſaith, Chap. 6. N. 56. *I do not underſtand by your Religion, the Doctrine of* Bellarmine *or* Baronius, *or any other private Man among you, nor the Doctrine of the* Sorbon, *or of the* Jeſuits *or* Dominicans, *or of any other particular*

cular company among you; but that wherein you all agree, or profeſs to agree, the Doctrine of the Council of Trent.

And tho in your *Explication* of what you mean by *Popery*, you ſeem to reſtrain your averſion to it, as compriſing only the *Papal* Uſurpations, or what is Congrous to the known Diſtinction of the *Court* of *Rome* and the *Church* of *Rome*, and profeſs to follow the Meaſures of the late *Earl* of *Clarendon*, of whom *Creſſy* in p. 101. of his *Epiſtle Apologetical*, ſaith that *he makes the Popes Temporal power to be the Hinge, upon which all other Controverſies between* Proteſtants *and* Engliſh Catholicks *do hang and depend ſo entirely, that if that only were ta-*

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ken off, all the reſt would quickly fall to the ground; I am pleas'd with his *Lordſhip* or *yours*, having gone ſo far with me in my *way* againſt Popery (for if any Friend bears me Company good part of my way in any Journey, I ſhall be pleas'd therewith, tho he accompany me not to my Journeys end) I am yet to tell you, that in my *way* to *Heaven*, I have further to go, than merely ſo far as the leaving that *Temporal* Power of the *Pope* behind me: And muſt freely paſs the bounds of *Trent*, but yet ſtrictly obſerving the *Moral* Offices of not injuring or troubling, or Miſrepreſenting or Miſcalling any Man for not going my way; and if I find the profeſs'd obſervers of

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the *Doctrines* of the Council of *Trent* ſeeming but *tacitly* to reject the *Diſloyal* Principles propp'd up formerly by the *Council* of *Lateran*, and owning expreſly only the Doctrines of the Council of *Trent*, I ſhall not trouble my ſelf or them to charge them with the *Odious* Matter of the *former* Council, or to *Recant* by *Words* what you ſay ſo many and ſo great *Papiſts* have done by *Actions*.

And if the *Roman Catholicks* who were ſuppos'd to have publiſh'd that Tranſlated *Book* of the *Acts of the* French *Clergy*, intended only thereby to caution us againſt the *Miſrepreſenting* them and the *Doctrine* of their *Church*, I ſhall be glad if the *Caution* may be juſtly purſued by all Men. But

But some *Criticks* on that *Translation* have presumed to Judge their publishing the *French* Kings *Edict* of the 14*th.* of *July* last, for *Restraining* the *French* Protestants former *Liberty* of *Writing* and *Speaking* against the *Doctrines* of the Council of *Trent*, or as the words there are, *from speaking directly or indirectly after what manner soever of the Catholick Religion*, was perhaps done with an *ill* intent by some who with an *Evil Eye* look'd on the Kings *goodness* to the *Church* of *England.*

I am far from Attributing the *Heat* or *Indiscretion* of *particular* Persons, to the *Body* of any Religionary Party: And do Judge, that when our Excellent

cellent *Divines* of the *Church* of *England* ſhall be of Opinion that the *Emiſſaries* of *Rome* are not more than ordinarily buſie in endeavouring to pervert any of their Flocks from their Religion, they will naturally throw off Debates of *Speculative* Controverſial Divinity. For granted it muſt be, that both *Proteſtants* and *Papiſts* do ſtand more in need to be taught what were the *Moral* Practices of the *Primitive* Chriſtians than what were their *Speculative* Aſſertions: And as a late *Divine* hath well remark'd, *Sixteen Hundred Years are run out, ſince the Son of God came down to Sanctifie and Save the World, which are ſo many* Degrees, *whereby we are* Deſcended *from the firſt* Per-

Perfection. We are more distant from them in Holiness than in time; so universal and great is the Corruption, that 'tis almost as difficult to revive the dying Faith of Christians, and to Reform their Lives according to the Purity of their Profession, as the Conversion of the World was from Heathenism to Christianity.

And when I consider how much the *Christian* Religion hath been Debased to a *Religion-Trade*, as your Term is, and and a *project* to advance Mens Ambition or profit, and by ways and Artifices contrary to the Law of Nature, and below that generous Contempt of Sordid Actions and below the *fides*, *verecundia*, *honestas*, and the *Simplicity* of *Manners* that Adorn'd

Adorn'd the Minds and the Converſations of the Antient *Heathens*, and how much the Old *pietas in patriam*, you have referr'd to in *Cicero*, is evaporated among Chriſtians, and the very *ideas* of *Heroical* Actions loſt, that is, ſuch *Actions* as were *term'd* ſo as reſpecting the *good* of our *Prince* and *Country*, and when I conſider how by that Cruel Revengeful implacable Spirit, rendring Chriſtians worſe Enemies to one another, than even ever *Julian* was (for he in one of his Epiſtles to *Jamblichus* profeſs'd that he thought then was not fit for him to perſecute the Chriſtians, ἐγὼ δ' οἶμαι διδάσκειν ἀλλ' οὐχὶ κολάζειν χρὴ τοὺς ἀνοήτους. i.e. *I think it fit to teach, but not to puniſh Fools*)

Fools)& ſeeing ſome *Chriſtians* to *apoſtatiſe* from that which was commendable in the temper of *Julian* the *Apoſtate*, I cannot forbear thinking of thoſe *ſevere* words of my Friend Dr. *Hammond*, in the *Epiſtle* to his *practical Catechiſm*, viz. *As* Machiavel, *thought Religion would emaſculate and enfeeble Common wealths, we have more reaſon to complain, that it hath Debauch'd and Corrupted Lives: And were it not that God hath been pleas'd to preſerve a ſcatter'd Remnant, a few in every Nation to be the Records (as it were) from whom it may be ſeen what Chriſtianity is able to do, if it may be hearken'd to: Were it not that there are a few Antient primitive Spirits, by whom as by a Standard others may, and ought to be reform-*

ed, we have reaſon to think, and ſay that Chriſtian Men are the impureſt part of the World: That Satans after-game hath proved more proſperous and lucky to him, than his firſt deſignment did; that his Night-walk hath brought him more proſelytes, than his unlimited range of going up and down, to and fro over the face of the Earth: that as Sin by the Law, ſo Satan by the Faith of Chriſt, hath taken occaſion, and ſo deceived and ruined us more deſperately, more univerſally, than by all the National Idolatrous Cuſtoms of Heatheniſm he hath been able to do.

There is one *noble* Virtue of the *Primitive* Chriſtians, that hath indeed by the *Succeſsful* labours of the *Divines* of the *Church* of *England* been lately much Propagated

pagated in this Land; and that is, *Loyalty* to our *Princes*, and God be thanked that we have many thousands of the *Layety* of that *Church* who have been better instructed in that *Primitive* virtue then ever *Bellarmine* was, as appears by his *Quia deerant vires.*

And I wish that for the *ease* of his *Majesties* Cares and *safety* of his Government, all Mens *Idea's* and *Practices* of *Loyalty*, may grow both more *refined* and firm. And that according to your excellent *quotation* out of *Seneca*, *Quanto latius officiorum patet quam juris Regula*, all his Majesties Subjects may practise the *Primitive* Obedience to the *Height* of all *Moral* Offices, & not to think that their being

barely *legales homines*, in doing what the Law compells them to for his Service, is all the *Loyalty* or *Obedience* requiſite.

The *obvious* thought of *Children*, as well as *Parents* being *Morally* bound to be helpful to each other beyond what they are conſtrained to by the Law, may ſhew us the reaſonableneſs of the extending our Obedience to our *Political* Father, to all the Noble heights of *Virtue*.

I am very well pleas'd with the *paſſages* in your *Diſcourſe*, that brand *Mercenary* Loyalty in *p.* 274. and the *Iopeans* you ſing to the Crowns *victories* obtained over *Mercenary* loyalty. And here I cannot omit being ſo juſt to your ſelf, as to acknowledge that you have as good

good a warrant, as any Subject of the Crown I know, to reprehend *Mercenary* Loyalty; ſince on your modeſt Application to the late *King* upon the importunity of your friends, for a Compenſation of your *varicus* Services done him almoſt ever ſince his *Reſtoration*, and the *Reinburſment* of your *expences* in his Service, and on his *Miniſters* by *reference* conſulting my Judgment about your *Caſe*, I found ſeveral thouſands of pounds due to you on that account, and do Judge that you never ſince apply'd to his late *Majeſty*, nor any of his *Miniſters* about the ſame. But one inſtance more of your *unmercenary* Loyalty I ſhall not conceal, that I was aſſured of from a Lord in High Favour

with his late *Majeſty*, Namely, that when in his late *Majeſties* Reign, he knowing your Abilities to ſerve the King, did of his own accord offer to you his readineſs to move his Majeſty to afford you a fair *Penſion*, you Over-Modeſtly requeſted his Lordſhip to move no ſuch thing in your behalf, profeſſing to his Lordſhip that it ſhould be the buſineſs of your life, to promote all his Majeſties Juſt Meaſures in what you could, without any expectation of other reward than what the pleaſure of all Actions of Loyalty neceſſarily included in the doing of them. And to this too I might add, that in the time when the late *Weſtern* Rebellion was moſt conſiderable, your having with o-

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ther Gentlemen appear'd to his Majeſty, as ready at your own expence, to be then in Arms to ſerve the Crown at an Hours warning, was a further fair example of your *unmercenary* Loyalty.

And the truth is, that in the Preſent State of *England*, when it ſo much imports us to reſtore *England* to its Old *Office* of ballancing the World, *Mercenary* Loyalty would be now a kind of Monſter In morality.

It here falls in my way to obſerve that you have in *p.* 156. and 157. very uſefully ſhewn *Mercenary* Religion to be a thing both ſenſeleſs and odious. And therefore tho you may ſeem the only perſon of the Church of *Eng.* who hath in print vary'd

from its Homilies or Articles ſince his *Majeſties* Reign in any *Religionary* point: Yet as to your ſelf, I have had reaſon to gueſs that you long ago in the *late* Kings Reign had ſome *Theological* Sentiments ſomewhat differing from what I took for our Churches *Articles*, and that I ſpeaking to you thereof, you reply'd out of *Biſhop* Bramhalls *Juſt Vindication of our Church*, that *our Articles are not penned with Anathemas, or Curſes againſt all thoſe even of our own, who do not receive them; but uſed only as an help or rule of unity among our ſelves.*

Nor have I forgot how you once diſcourſed to me your opinion of the *Tenet*, that *the Souls of good Men, do not immediately*

ately after Death go up into Heaven, nor the Souls of bad Men then immediately down into Hell: But that the former than go into a *good* ἄδης, and the latter into a *bad* one, and *that ſuch place was called* ἄδης i.e. *inconſpicuus as being ſo not in regard of it ſelf, but of us, and that our Saviours Soul went* εἰς ἄδην, *and that this* Tenet *was* more particularly *Tertullians, and that he deſcribing the* ἄδης *ſaid 'twas* a place *ubi bonis benè erat & malis malè*, and *that good Men did there in* Candidâ expectare diem Judicij, *and that the Expreſſion of* æternitatis Candidati, *was firſt taken occaſionally from* thoſe words of Tertullian, *and that it ſeemed ſuitable to the Meaſures of Divine Juſtice, not to give the great Sentence*

tence concerning eternal rewards, and punishments, before the Trial of the Day of Judgment, and that as a Thousand years with God, are said to be but one Day; *the time of that Trial might possibly last so long, and that it might else seem* a diminutio capitis, *for Saints to be brought from* the Cælum beatorum, *to the Bar, and that somewhat like this notion of the State of Souls after Death the Jews had, and likewise all the Fathers for the first four Centuries, and when some of them encouraging Men to be Martyrs, said that such did* uno saltu *get up into Heaven, and that our Saviour saying* in my Fathers House are many Mansions, *&c.* and if I go and prepare a place for you, I will come again, and receive you

you unto my ſelf, *tho therefore the good will not be received by Chriſt into thoſe Manſions, till he comes again, yet their condition will be much better in the good Angels then in the moſt proſperous State here below, where they are continually expoſed to the Contagion of Sin*: And as you have in *p.* 317. mentioned that ſome of our *Proteſtant* Divines owning this *Tenet*, have not been therefore Cenſured as *Popiſhly* affected or maintainers of *Purgatory*, ſo neither ſhall I therefore thence infer your owning the Notion of a *Purgatory* or *Limbus*, nor the uſefulneſs of *Praying* for any *Souls* in the *Hades*, and much leſs, that your favouring this notion of *Hades* by publiſhing it now, as what ſome of our

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Proteſtant Divines favoured, was in the leaſt deſigned by you as any *humouring* of a *Project* to *reconcile* Churches, a *project* that you have expreſſed to be ſo ineffectual, when ſome well meaning Men had it in their Heads in a *Conjuncture* long ago, and when *Withers* a dull *Poet* of the Age, yet a favorite of the *vulgus*, did in his *Emblems p.* 3 of his *ep. dedicat.* (as you once told me) amuſe them with his fancies of the *Union* of Religion.

And as you have in your *preface* obſerved it that *the few florid Sheets lately publiſhed on the Subject of Toleration, have made no other figure than that of the poor reſemblances of flowers extracted by Chymical Art out of their aſhes, and that a little ſhaking them*

them together in the glaſs of time, muſt make them preſently fall in pieces. I have obſerved likewiſe, that the perhaps well meant *Velleities* or Wiſhes or little *Eſſays* of ſome few private Perſons that ſince his Majeſties Reign, amuſed any by propounding a *Reconciliation* of *Churches*, have appeared but like extracted reſemblances of the *flowers* of private Mens propoſals of that kind in the *Conjuncture* before the *year* 1640; and ſince his Majeſties happy Reign, they have been eaſily *ſhaken* in *pieces*.

Mr. *Prynne* in his *Hiſtory of the Tryal of* Arch Biſhop *Laud*, in *p*. 191. tells us what a ferment Mr. *Adams* his *Caſe* made in the *Univerſity* of *Cambridge*, in the

year

year 1637. who Preaching in St. *Mary's*, and there asserting the necessity of *Auricular Confession*, was by Dr. *Brownrig* the *Vice-Chancellor* enjoyned to *Recant* that *Doctrine*, and about which great Heats arose among the *Heads* of *Houses* there.

But the *Sharpness* of the *Canons* of 40 against *Popery*, shewing the zeal the Arch-bishop expressed in the making of those *Canons*, and of that *Clause* in the *Oath* there for the abjuring *Popery*, viz. *and that I will not Subject the Church of* England, *to the Church of* Rome, which *Oath* the *Arch-Bishop* in *his Defence* saith, was *a more strict Oath, than ever was made against Popery in any Age or Church*, may easily Convince the Sagacious, of the

Church

Church of *Englands* Senſe then, about any Project of Reconciling the Church of *England* to that of *Rome*, being altogether vain.

The *Arch-Biſhop* had it ſeems by long and deep obſervation found the *project* of the *reconciling* of our *Church* and *Romes*, a thing utterly unpracticable; however, as to his having been formerly a *Viſionaire* about the poſſibility of the ſame I remember I have ſeen ſome angry reflections of *Dr.* Williams *Biſhop of* Lincoln againſt him, and Writ with that Biſhops own Hand in the *Margent* of the *Arch-Biſhops Printed Star-Chamber Speech*, where over againſt thoſe paſſages that ſeemed to be ſomewhat *trimming* in *favour* of the

the *Church* of *Rome*, Biſhop *Williams* wrote, *the nearer you come to the Church of* Rome, *the further ſhe will fly from your Courtſhip and Careſſes, and will tell you* that *Ruſticus es Corydon, nec munera curat Alexis.*

But what thing the *Reconcilerſ wouldbe* of *Churches* mean, to themſelves is ſufficiently plain. As to the *natural* meaning of any thing of that nature, I call to mind, that a *Presbyterian* Miniſter ſpeaking to you once of *Comprehenſion*, and of the *Divines* of his perſwaſion, and that of the Church of *England* being that way *Reconciled*, you told him you wiſhed a *Coalition* of ſuch with the Church of *England* as were formerly of his Perſwaſion: But

that

that you ſuppoſed by his *comprehenſion*, he deſired to be a *Comprehenſor* of ſome of the *Livings* of the *Divines* of the *Church* of *England*, and that therefore when you found any Divine ſpeak of the Eſſaying to Reconcile Churches, you naturally thought of thoſe Words in the *Acts* of the *Apoſtles*. C. 17. v. 18. *What will this Babler ſay?* and *Rendring* the word σπερμόλογος there by *Church Robber*, *Altar Robber*, and *Sacrilegious* Perſon as our *Broughton* did, and juſtifying that your Critical Acception of the word out of the Greek *Claſſick* Authors, viz. *Demoſthenes* and *Ariſtophanes*, whom you had ſaid, you had found Cited for that Senſe of the word, at the

end of *Cloppenburg de Sacrificiis*, and who Citing *Ariſtophanes* his *Comedy* of ὄρνιθες *aves* where the *Birds* threaten *Jupiter* with a Holy War, ſhews that by σπερμολόγος was meant, *Avis Seminilega*, and that the *Athenians* thought St. *Paul* would deſpoil the *Altars* of the *Gods* of the Proviſions of their Offerings: And in *Fine* you ſaid, that ſuch various readings of that word, would certainly meet in any ones being thought *a Babler* by thoſe of the *Religion* Eſtabliſhed, if he would *interlope* in their Maintenance.

I doubt not but you have heard of the late Candidate Beyond-Sea, for the *Office* of the *Reconciler* of *Churches*, I mean the *Author* of *TUBA PACIS*,

PACIS, ad universas Dissidentes in Occidente Ecclesias, seu Discursus Theologicus, de unione Ecclesiarum Romanæ & Protestantium, nec non amicâ Compositione Controversiarum fidei inter hosce Cœtus, per Matheum Prætorium Memela Prussum. Printed at *Collen*, *An.* 1684. and which that Author *Dedicates* to the *Emperor*, and to the *Kings* of *Poland*, *France*, *England*, *Denmark*, *Sweden*, severally, and to the *Electors* and other *Princes* of the *Empire*: And just before he blows his *Trumpet*, he warneth us of the *two* Old *Pronouns*, that have so long troubled the World, *viz.* *Meum* and *Tuum*, and which will always continue so to do,

till all Men ſhall be of St. *Francis* his mind, whom when a *Fryar* told that he came *à cellâ tuâ*, St. *Francis* when he heard the word *tuâ*, ſaid he would Lodge no more there. The Author tells us in his 10. *Chapter*, *Tentavit quidem Compoſitionem Vir obſtudium pacis a plurimis & principibus viris Longè Laudatus Georgius Caſſander, ſed non fauſto Succeſſu, Contradicentibus partim Romanis, partim & proteſtantibus*, and tells us there of the like *Event*, that *Marcus Antonius de Dominis*, and his *Work* for that purpoſe had. But our Author had the Fortune to *Catch* a *Tartar* of an *Objection* in the laſt *Paragraph* of his *Book* ſave one, viz. *At*

dicet

dicet aliquis ſi unio noſtrarum Eccleſiarum Cum Romanâ Eccleſiâ fieret, Romanus Pontifex jus ſuum repeteret, tot bona olim Eccliaſtica quæ jam per pacta & tranſacta in manus ſereniſſimorum principum Ceſſere, quæ nunquam principes in ærarij ſui damnum adimi ſibi patientur. And to this *Objection*, he returneth this *Anſwer*, viz. *Reſpondetur, Omninò æquum eſt Jus ſuum Cuique tribuere, nec Romano Pontifici illud derogandum quod ipſi legitimè Competit.* Bona *Eccleſiaſtica quæ olim fuerunt, nunc autem ærario principum adſcripta, jure gladij & pactorum acquiſita NON PUTAMUS Romanum Pontificem pro ſuâ quâ pollet prudentiâ repetiturum. Frui Conce-*

det ijs ad quas admiſſi ſunt poſſeſſionibus. Nihil *ijs vel decedere vel adimi cupiet.* This the good Man in his Embaſſy *Speech* to the *World*, as its *Reconciler* tells us of this *Pope*; but without ſhewing his *Credentials* either from the *Pope*, or any one elſe: And I believe on the account of what you have ſhewn of the *Munſter-Treaty*, the *Princes* and *Electors* of the *Empire*, to whom he hath *Dedicated* his *Book*, will not fear this *Popes* being either able or willing to give them any diſturbance in their Church-Lands. Nor need any of us in *England* more fear the *Popes* being able or willing to hurt our poſſeſſions of the *Church-Lands*. We

are

are ſufficiently ſhewn it out of *Mores* Reports, f. 1. 282. that *the Popes Bulls giving Monaſteries to* Wolſy, *with the conſent of the King, and the Surrender of the Priors to* Wolſy, *would not ſerve the turn: and that nothing but an Act of Parliament would alter the Property.*

You have here an inſtance of our preſent Foraign *Reconcilers* of *Churches*, being very poor *Middle Region Men*, in Compariſon of *Caſſander* and *Antonius de Dominis*, and others; as our late little *Reconcilers* likewiſe have been, Compared with the unfortunate ones of the Old Conjuncture. The *queſtion* of *what will this Babler ſay*, is proper-

ly applicable to them from all Parties.

But one thing I cannot but here obſerve to you, that as I was very well pleaſed with your *Deſign*, that you *Communicated* to me after you had begun this *long VOYAGE* of your *THOUGHTS* (as I may call it) and writ the *former* part of your *Diſcourſe*, namely, that 'becauſe 'in your occaſional Converſation with People of all 'ſorts, you have found that 'Mens Fancies were (as you 'ſaid) Nail'd to *POPERY*, 'and their Tongues Ty'd up 'as to any thing but *POPERY*, and that they could 'not go beyond the Tedder

of

'of that in their Diſcourſe;
'and that *POPERY's* Mo-
'nopolizing ſo much of their
'Diſcourſe, had been one of
'its *USURPATIONS*,
'you intended to try to
'divert them from it,
'and make them paſs *ad au-*
'*tres*, by laying before them
'ſuch various Matters of Cal-
'culation, relating to their
'own Country and many
'places of Chriſtendom, as
'might give them ſomewhat
'beſide P*O*P*ERY* and
'P*LOTS* to think and
'ſpeak of in Company; So
I am much better pleaſed
with your Performance of
that your Curious Enterprize,
and do think that your *Book*
by

by containing in it ſo many *MISCELLANEA*, muſt *eo nomine*, prove highly uſeful to our *Engliſh* World in this Conjuncture.

It here occurs to me to *obſerve* to you, that after an *Erratum* of the *Preſs* in *Page* 38. of your *Diſcourſe*, Namely, where you referred to P. 325 in the *Advocate of Conſcience Liberty*, inſtead of *Page* 225, you make the laſt *Letter* of *D' Oſſats* to be from *Rome An.* 1596, and I ſuppoſe you happened to do ſo, by caſting your Eye on the Old Date of the *laſt* Letter but *one* Printed in the *Volume* of his *Letters* in *Folio* of the *Paris* Edition, *An.* 1625. and find-

finding it to be *An.* 1596. But it came not into your Mind then, to obſerve that the *laſt* of his *Letters* as they are *Ranged* in *Order*, was the 199*th.* and in the *End* of *Book* 9*th.* and which was to *Villeroy* from *Rome*, *March* the 6*th. An.* 1604, and in which *Year* he dy'd, as you rightly refer to his *Epitaph* to ſhew. But it ſeems after that laſt *Letter* in *Book* 9*th.* of the P*aris* Edition, the P*ubliſher* ſaying that he had recovered ſome others of his *Letters*, Prints them without reſpect to the *Order* of *time*; and there makes the *Date* of the *laſt* Letter ſave *one* in the *Volume*, to be in the

the *Year* 1596. as you have there done. But however this *Derogates* not from the *Juſtice* of your *Animadverſion* in *page* 38. on the *Roman-Catholick* Engliſh *Prieſt*, for making *D' Oſſat* to have known the *Gun-Powder* Treaſon *Plot* to be a *Sham* one, Eight *Years* before it was to be Executed. For the *Letter* of *D' Oſſat* that that *Prieſt* alledged to *prove* what I now mentioned, was Dated as you juſtly ſay from *Rome*, *March 29th. An.* 1596, and he never read the *Letter* that can find any thing of the *Gun-Powder* Treaſon in it.

I ſhall here take occaſion to make my *Excuſe* to the

the Reverend *Divines* of our *Church* aſſuring them, that by adding Obſervations on the Writings of the Author of *the Papiſt Miſrepreſented and Repreſented*; I intended not to Derogate from the Sufficiency of the Learning and Reaſon they have ſhewed in their *Anſwers* thereunto. But the truth is, though as in our *Parliaments*, frequently when many have moved for ſome Additional Branch to be ſetted on the *Revenue* here after the *Example* of ſomewhat of the like Nature in *France*, the Naming of *France* in the Caſe then for a Preſident, hath been obſerved to make many ſpeak againſt the

the *Unſeaſonableneſs* of the Mo-
tion, who otherwiſe would
not have done it; ſo the wri-
ting of any thing that was
contrary to the *Doctrine* of
the *Church* of *England*, and
after the *Mode* of the *Biſh-*
op of *Condom* and the *Acts*
of the French Clergy, juſt at
this *time* of *Day*, was a thing
that I could not but ſhew
my Reſentment againſt, as
very much *unſeaſonable*. And
moreover according to the
ſaying that one ought not to
be Patient under charge of He-
reſie, I may juſtifie the warmth
of my Reſentments, againſt
the Acts of the French *Clergy*
charging ſome of ours both
with *Hereſie* and *Calumny*
and

and bringing up our *Whit-aker* and *Downham* there in the *Van* of the *Calumniators* under the *firſt Article*, and our *Raynolds* under the Sixth.

I Remain

SIR,

Your Affectionate Friend and Servant.

ANGLESEY.

FINIS.

ERRATA.

PAge 76. l. 16. *for Praſec, read Piaſec.* p
l. 17. *for C.* 1. *Read E.* 1. p. 99.
for & Read Sed. p. 153. l. 11. *for Monar*
Read Monachus. p. 336. l. 9. *dele the* ,
mean, put it in l. 10. *after themſelves.*

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